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Vol. 46. No. 1

October, 1923

Published Monthly

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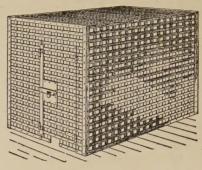
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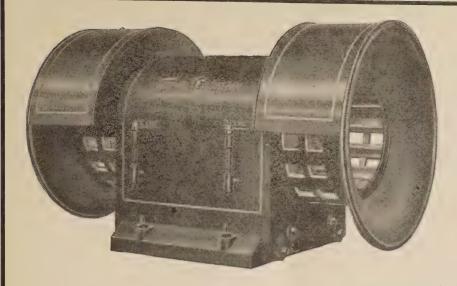
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Approved by the Underwriters' Laboratory of the National Board of Fire Underwriters.

> Approval dated October 11, 1918

3 A. M.—the town is quiet—Suddenly, a weird penetrating cry pierces the air. Ranging from a low gutteral growl to a shrill shriek it penetrates for miles.

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Why He Called It "Portland" Cement

In 1824, an English mason wanted to produce a better cement than any then in use. To do this he burned finely ground clay and limestone together at a high heat. The hard balls [called clinker] that resulted were ground to a fine powder. When a mixture of this dull gray powder with water had hardened, it was the color of a popular building stone quarried on the Isle of Portlandoff the coast of England. So this mason, Joseph Aspdin, called his discovery "portland" cement.

That was less than one hundred years ago.

Portland cement was not made in the United States until fifty years ago. The average annual production for the ten years following was only 36,000 sacks. Last year the country used over 470,000,000 sacks of portland cement. Capacity to manufacture was nearly 600,000,000 sacks.

Cement cannot be made everywhere because raw materials of the necessary chemical composition are not found in sufficient quantities in every part of the country. But it is now manufactured in 27 states by 120 plants. There is at least one of these plants within shipping distance of any community in this country.

To provide a cement supply that would always be ample to meet demand has meant a good deal in costly experience to those who have invested in the cement industry. There have been large capital investments with low returns.

In the last twenty-five years, 328 cement plants have been built or have gone through some stage of construction or financing. 162 were completed and placed in operation.

Only 120 of these plants have survived the financial, operating and marketing risks of that period. Their capacity is nearly 30 per cent greater than the record year's demand.

These are a few important facts about an industry that is still young. Advertisements to follow will give you more of these facts, and will tell something of the important place cement occupies in the welfare of every individual.

PORTLAND CEMENT ASSOCIATION

Hubbell Building DES MOINES, IA.

A National Organization to Improve and Extend the Uses of Concrete

Offices in 27 Other Cities

American Municipalities

October, 1923

Vol. 46, No. 1

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, - - \$1.00 per year Advertising rates made known on application

> "For forms of government let fools contest, What'er is best administered is best." Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

The three leading papers in this issue are by lawyers but every municipal official should read them in full.

In order to perform the duties of any office it is absolutely necessary to know just what power you have and just what limitations you are subject to.

The report of the committee on judicial decisions is of importance as this gives the law as interpreted by the supreme court and what this court says is thereby made the law.

The report of the committee on legislation is of equal importance and this will give officials the knowledge of the last laws passed relating to municipalities.

The questions answered by the question box committee might not all be of interest to you but one or two of them are apt to be.

This also applies to the information bureau and you will not waste the time if you read this department.

More and more officials are taking advantage of the information bureau and if you have not been doing so in the past it will pay you to do so.

When some question comes up about which you are not certain it will often save you trouble or expense if you will write the League for advice.

It is always better to seek advice before you take action than after, because it is always better to be safe than sorry.

The article on judicial wrongs is a statement of the two capacities in which a city acts that should be clear to every official.

Read this paper and you will have a better idea of the business of a municipality.

Most of the members of the League of Iowa Municipalities have sent in the dues for the coming year and if you have not sent in yours you should do so at once.

In another month the officers of the League will be busy with legislative matters and if we can get all the dues collected now it will save just that much work later.

If the bill for dues has been allowed send in the warrant and if it has not been allowed have the council allow it at its next meeting.

MAYORS' SALARIES

The American City gives the salaries of mayors in cities of 100,000 and over as follows:

Akron, \$3,600; Albany, N. Y., \$6,500; Bridgeport, Conn., \$6,000; Buffalo, \$8,000; Camden, N. J., \$5,000; Cincinnati, \$10,000; Dayton, \$1,800; Denver, \$6,000; Detroit, \$8,000; Fort Worth, Texas, \$3,600; Houston, Texas, \$7,500; Kansas City, \$4,500; Memphis, \$6,000; Milwaukee, \$6,800; Minneapolis, \$6,000; Nashville, \$6,000; New Bedford, Mass., \$7,500; New Haven, Conn., \$7,500; Oakland, Calif., \$4,200; Patterson N. J., \$4,200; Providence, R. I., \$6,500; Rochester, \$7,500; Scranton, Pa., \$5,000; Springfield, \$6,000; Toledo, \$7,500.

THE BOND SITUATION

The deadlock which brought the municipal business virtually to a standstill in recent months appears to have been broken by the wise decision on the part of syndicates holding the bulk of the bonds carried over from June and earlier months to slash prices down to the point where a number of large issues could be cleaned out. State of Kansas Soldiers' Bonus 4 1/2s, originally offered in June to yield 4.25% to 4.35%, were priced this week at 4.60 to 4.40%. The Iowas were cut to 4.40% basis, original price having been a 4.20% basis. Milwaukees, \$3,790,000 of which were offered to yield 4.20% to 4.30% were put on the bargain counter to yield 4.40%. Flint, Mich., and St. Louis, Mo., prices were also reduced in keeping with these other cuts. (The Bond Buyer.)

TO OBTAIN MUSIC PERMITS

The sleep of persons living near cafes and restaurants that have music is protected by a new Buffalo ordinance. A permit to "serve music with meals" must be obtained from the mayor and shall not be issued until the consent of at least two-thirds of the owners and tenants of property within 200 feet is secured.

The American City magazine describes the work of the Dayton, Ohio, welfare farm. More than 800 hogs fed by city garbage are being raised. The farm is worked by prisoners and a stone crusher gives year-round occupation for the inmates.

AUGUST IN THE CEMENT INDUSTRY

All records for the production and shipment of portland cement were broken in August, according to figures just issued by the U. S. Geological Survey. Several times this year people who have been in doubt as to the productive capacity of the cement industry, have had their guesses shattered by the way the industry has kept pace with demand. Production during August was 12,967, 000, barrels, an increase of 350,000 barrels over July, the best previous record, and 1,300,000 over August last year. Production for eight months ending August 31 was nearly 88,000,000 barrels or more than was produced in any one of the entire years 1915, 1918, or 1919.

Boston Elevated Railway closed its fourth year under the Public Control Act, June 30, 1922, with a surplus of \$1,385,211, in spite of the fact that the five-cent fare had been restored for short hauls to such an extent as to apply to 21 per cent of the traffic. This unique experiment in private ownership and public operation is apparently working out a financial success. The railway also claims improved service and greater efficiency than under private operation.

The Tonawanda, N. Y. health board has filed an objection to the municipal piggery of the City of Buffalo, which is located near the former city. The board complains of odors arising from the unconsumed garbage.

San Francisco has the distinction of being the only city in the United States with a municipal auditorium permanently equipped with an electrical voice amplifying system, says its "Municipal Record."

Ashtabula, Ohio, has purchased her street railways, paying for the purchase \$150,000.

If the officials of the different cities and towns will send in items in regard to what they are doing it will add greatly to the interest of American Municipalities. If you accomplish something that you believe will be of interest and value to other cities and towns send it along, make the magazine more valuable and possibly help some other official.

Report Committee on Legislation

Hon. W. A. Hunt, City Solicitor, Ottumwa, Chairman

The 40th General assembly, which has now passed into history, enacted many very good laws and some that were not so good and dealing with a variety of subjects. The new laws that were enacted with reference to cities and towns are the ones that are of particular interest to all of us, and in this discussion I shall take up and discuss briefly some of the more important of these laws and also some of the measures that are contemplated by the code commission that affect cities and towns and which may be up for consideration before the special session of the general assembly this coming winter.

For convenience, I will discuss these laws in the order in which they are indexed in the acts of the regular session, the 40th general assembly of Iowa.

Compiled code, section 3485, which hitherto provided that lands within cities and towns not laid off into lots of ten acres or less, and used for agricultural purposes, should not be taxed for any city or town purpose was limited by providing that this section should only apply to cities and towns having a population of 5,000 or less. Therefore, it appears that under the law, as it now stands, that in cities having a population of 5,000 or more, these lands may be taxed by the city.

The next section taken up is compiled code. Supplemental section 3878, which is the statute requiring contractors to give bond to keep streets they build in repair for a period of not less than four years, and sewers not less than two years. The only exception to this hitherto being a street improvement by gravel; to this exception chapter 124, acts of the 40th general assembly, adds also contracts for street repair and contracts for street improvement by graveling or oiling, or both. This merely clarifies the law, since in practice, cities have never exacted a maintenance bond from contractors for merely repairing the streets or oiling them.

One of the most sweeping of the new laws

is contained in chapter 134, laws of the 40th general assembly, providing for a zoning commission. One or two Iowa cities had already attempted to do this by ordinance even before there was any specific authority granted by the law concerning same. This act provides that cities are empowered "to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and location and use of buildings, structures, and land for trade, industry, residence, or other purposes."

For these purposes the city council may divide the city into districts, regulations and restrictions being uniform for each class and kind of buildings in each district, but regulations in one district may differ from those in another, these regulations to be or made in accordance with a comprehensive plan and designed to "lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements."

The council provides for public hearings in relation to establishment of such districts and regulations and provides for the appointment of a zoning commission to help in carrying out the plan; also for a board of adjustment to hear and decide appeals.

Many Iowa cities have been built without reference to any plan and are a veritable hodge podge. This legislation is timely and should be taken advantage of by cities and towns to the fullest extent. Our cities are permanent. They are the places where we live, and the cities should be built on an orderly plan. Washington D. C., our national capitol, is a splendid example of a city built in accordance with a plan.

Chapter 117, laws of the 40th general assembly, deals with compiled code, section 3596, which provided that the city council might exercise such power over all cemeteries within their limits, and those within their limits established by their authority, as the powers conferred upon township trustees with reference to cemeteries, and under the new law the city council may by ordinance transfer such duties and the general management of such cemeteries to a board of trustees.

The next matter of interest to cities and towns is chapter 113, dealing also with cemeteries and providing in short that cities and towns or townships may use cemeteries outside of their limits, not over one mile, however, from boundary line, and may use their funds in maintaining and supporting the same and in such cases town councils and township trustees jointly shall constitute a joint cemetery board with equal powers. This deals with compiled code, supplement, section 3445 A 1.

Chapter 323, laws of the 40th general assembly, is a purely local measure intended to help some particular city pay for a city hall.

Chapter 135, laws of the 40th general assembly, is of quite a little importance to the commission form of cities and deals with compiled code, supplement 4219 and 4219 A. and provides a new grouping of departments in cities of less than 25,000 inhabitants. Hitherto one commissioner had charge of accounts and finances and parks and public property, while the other had public safety and streets and public improvements. This grouped unrelated departments and put the large share of this work on the commissioner having charge of public safety and streets and public improvements. The new law provides that one commissioner shall be superintendent of accounts, finances and public safety, these being related groups and requiring the commissioner's presence mostly indoors and at the city hall, while the other commissioner acts as superintendent of parks, public property, streets and public improvements this being mostly work requiring the commissioner's presence outdoors and on the streets and out in the city. This is a natural grouping of related departments and refers, of course, only to cities under 25,000 inhabitants.

Chapter 115, laws of the 40th general as-

sembly, amending C. C. 3511, provides that electors, who are registered and otherwise qualified and who change residence from the precinct where registered to another precinct within ten days preceding the election, may vote in the precinct where registered except at elections when councilmen are to be elected by the voters of a ward or district. This clarifies the law on a point hitherto a little obscure, but in practice this has usually been done.

Chapter 18, laws of the 40th general assembly, deals with elevators and was, in all probability, enacted, having in mind the Randolph Hotel elevator disaster in Des Moines, this last winter. Section 5 thereof provides that cities and towns may enact ordinances providing for the inspection and regulation of elevators in buildings and of the operators thereof so long as said ordinances do not conflict with the state law on the subject.

This law will doubtless be of quite a little benefit to cities in providing for the safety of those who use the increasing number of elevators.

Chapter 128 amends C. C. 3944, 3949 and 3950 and provides that cities and towns may improve streams within limits and provides for the tection against damage by floods and assesses the cost of said improvements against benefited property and removes the 25% value limitations in making such assessment, the reason, therefor, evidently being that such property would be tremendously increased in value by the improvement of said streams. We are at a loss, however, to see the need of the removal of the 25% limitations, since the law already provides that the basis of assessment should be the actual value at the time of assessment which is, of course, after the improvement is completed.

Chapter 142 is not of a great deal of importance, merely providing that when a special charter city or town abandons its charter the funds, which it may then have on hand, shall be transferred to the appropriate funds under its new organization in such proportions as the council shall determine.

Chapter 132 extends the provisions of C. C. 4054 to cities under special charter having a population less than 2,000. This is merely the code section with reference to the limitations of indebtedness already applicable to all other cities.

Chapter 108 deals with the interest on municipal bonds, reducing the requisite rate of interest from 6% to 5% on the different classes of bonds ordinarily issued by cities and towns.

Chapter 140 chapter 141 deals with road districts and tax levies in special charter cities, the former amending C. C. 4385 so that the council may divide the city in road districts, making each ward a separate road district or the entire city a general district, for the purpose of cleaning and sprinkling streets. Chapter 141 amends C. C. 4421 by raising the amount that such cities may levy for general or incidental expenses from 8 mills to 10 mills and by raising the aggregate from 16 mills to 26 mills.

Chapter 97 regulates motor vehicle carrier lines. It is quite extensive, puts the control of these lines under the railroad commission, gives cities and towns the right to, by ordinance, adopt general rules of operation, and to designate the streets or routes over which the motor carriers shall travel, the money received from license fees being allocated to the various city and county road districts in the proportion that the number of miles of public highway used by the taxed motor carrier in any one district bears to the total number of miles used within the county, such funds to be used for the maintenance and repair of the highways and streets over which the carrier operates, providing also certain rules as to bonds, drivers, and rate of speed. This act has been needed for some time and was bitterly contested by the motor transportation companies.

Chapter 116 amends C. C. section 3580 and provides that in case no newspaper is published within the limits of a city or town, then the ordinances may be published in a newspaper designated by the council of general circulation in such city or town, or by posting up copies thereof in three public places within the limits thereof, two of such places being the post office and the mayor's office. Notices posted shall take effect five days after they are posted. This is quite a saving in publication expense to small towns with limited income and no newspaper.

Chapters 119 and 120 and 121 deal with parks and park improvement bonds, chapter 119 allowing an additional tax levy of one mill in special charter cities for grading, beautifying and improving parks, or improving any driveways or

boulevards connecting one park with another. Chapter 120 amends C. C. 3675 so that park improvement bonds may now mature in not less than 5 nor more than 50 years, the former limitations being not less than 15 nor more than 30 years. This enables the city to start paying off its bonds sooner, if it so desires. Chapter 121 is a special act dealing with some particular city which has a lake within its corporate limits, permitting said city to levy one mill each year for the purpose of deepening and improving said lake. It applies to the particular city that may have this lake and it is special in character.

Chapter 258 deals also with parks and amends C. C. 3667, 3685, and 3686. It really makes the provisions hitherto applicable to cities now applicable also to cities and towns of 5,000 or less. The latter has hitherto had authority to appropriate each year not exceeding 5% of the general fund for the improvement and maintenance of public parks. They may now make a special levy not exceeding 2½ mills for that purpose, thus levying their general fund.

Chapter 761 deals with policemen's and firemen's pension funds and amends, revises and codifies C. C. sections 4089 to 4092, 4094 to 4100, 4102 to 4105, and S. C. C. sections 4093 and 4101.

The main charge is that now the assessments are deducted in equal semi-annual installments out of the salary of the policemen and firemen, where formerly the firemen were paid monthly and the policemen semi-annually. The pension of the surviving widow is raised from \$20.00 to \$30.00 per month, as is also the pension paid to the dependent father or mother or either, in case there be no widow or in case she dies or re-marries. The amount paid to the guardian of surviving children is raised from \$6.00 per month for each child to \$8.00 per month on each child. There is no other change of consequence in this law.

Chapter 143 merely makes the notice to persons liable with the city for accidents by such person's negligence applicable also to manager cities.

Chapter 122 extends the provisions of C. C. 3734 to apply to the equipment and maintenance of playgrounds and recreation centers on lands and in buildings already owned by the city. The statute, as hitherto enforced, contemplated en-

tirely the purchase of new lands and buildings. This is still permissive but is not necessary, if the city already owns the lands or buildings which can be used or changed.

Chapter 136, applying to police equipment funds and bonds, reduces the size of the cities, in which it is in effect, from 80,000 to 70,000, probably so as to take in Sioux City.

Chapter 133 is new, providing that cities and towns may provide hospital, nursing and medical attention for members of the police and fire departments, of such cities, injured while in the performance of their duties, the amount so expended, however, to be deducted from the amounts paid such injured persons under the workmen's compensation law.

Chapter 37 is new and provides that if any city or town or board of health may make complaint in writing to the state board of health with reference to the pollution of streams, thereupon the state board of health shall take steps to abate the nuisance.

Chapter 126 amends C. C. supplement, section 3922 A1, permitting primary road fund aid for paving of extensions of primary roads in cities including special charter cities. This new act merely extends the scope of the former act to cities under special charter.

Chapter 127 amends C. C. supplement, section 3922 A2. Hitherto primary road fund aid was only obtainable on pavement of streets, extensions of primary roads in cities not to exceed 18 feet in width. This act removes this 18 foot limitation so that now primary road fund aid is obtainable up to 50% of the cost of the improvement for whatever width the street may be paved, with no limitations as to width.

Chapter 260 amends, revises and codifies C. C. section 3730. There is no substantial change in the law from what it originally was. Cities and towns of over 1,500 inhabitants may establish and maintain one public comfort station; over 25,000 and less than 50,000, two public comfort stations; over 50,000, three public comfort stations. The wording of the statute was changed a little but not materially. It applies the statute to towns, where hitherto it has by inference been applied to towns, but in reality only applied to cities.

Chapter 138 amends chapter 14, title 5, of the code relating to cities acting under special

charters, and they are now authorized to appoint a board of trustees to have charge of electric lights, electric power plants, heating plants or gas works. As we understand it, this statute was passed largely to enable Muscatine to handle its municipal electric light plant by a board of trustees.

Chapter 137 permits cities by special election to issue bonds, to acquire land along or adjacent to any stream, desirable for city or park purposes or as sites for buildings, and applies to cities of over 35,000 inhabitants. This is evidently some special act with reference to some particular city.

Chapter 259 applies to the river front improvement commission and amends, revises and codifles C. C. section 3707 and 3708, and vests a title to the river bed except the channel, in said commission, and empowers them to make certain improvements in said streams, such as reclaiming land for purpose of public building sites, etc.

Chapter 118 amends C. C. sections 3653 and 3654 and permits the city to compel the installation of sanitary toilets located upon property abutting upon a street or alley where there is a sanitary sewer. Hitherto the law has only applied to property abutting upon streets. Where there is a sanitary sewer now, alleys also have been included.

Chapter 338 merely provides for an extension for an emergency levy of 2 mills for the general fund, same as has been done for the last 5 or 6 years, increasing the amount possible to be levied for the general fund from 10 mills to 12 mills.

Chapter 33 section 14 thereof, provides that the said executive council may permit cities and towns to maintain said parks and pay the expense thereof from the general fund, if they so desire.

Chapter 193 amends C. C. supplement, section 6501, which authorized annuity to the donner of property to a municipal corporation, this act providing that any amount collected by tax that was levied and not required for the payment of such annuity shall be used for the purposes for which such gift or bequest is made.

Chapter 130 amends the law and refers to the board of water works trustees in cities of over 100,000 population. This was probably

Continued on page 16

Report of Question Box Committee

Hon. E. R. Tipton, Ctty Solicitor, Muscatine, Chairman

Q. Is a city council justified in refusing to issue a building permit for a building to be 12 feet in height, roof of non-combustible material, wall of hollow tile building blocks 12 inches thick. Building to be used as a produce house.

The erection of this building is objected to by all surrounding property owners whose buildings are two or three stories in height. The location is in the heart of a city on a quarter block made vacant by fire. The estimated value of the lot is \$10,000.

A. In the first place, it is our understanding that this town or city has not adopted the provisions of the new zoning law authorized by the 40th general assembly. It is also the understanding of this committee that the person seeking the permit is complying with all the requirements required by the fire ordinance in this town or city. With this understanding the committee begs leave to report that, in their opinion, the city council would not be justified in refusing to issue a building permit. The mere fact that the cost of this building may be only \$500.00 while the cost of the building adjoining the same may be \$10.000 would not justify the council to refuse to issue the permit.

Q. What is a city to do with \$25.000 surplus earnings from its electric light and power plant? Can it transfer this to its sinking fund and then loan it to its water works departments on its interest bearing improvement warrants retirable one, two, three and four years in equal payments.

A. It is the understanding of the committee that the municipal light and power plant has accumulated a surplus for the purpose of taking care of new machinery that will be needed in the future in connection with the operation of the plant and that this money is now being held on deposit by the city in some bank or banks, and it is the wish of the council, if possible, to invest the same in water works interest bearing improvement warrants. There is no law that

authorizes the city council to invest surplus earnings from the electric light department in warrants or bonds, and for that reason the council would be without power to make such an investment in this case. If this money is not needed for the purpose of making improvements in the future, it would seem well to reduce the charge for electricity that is now being made to the consumer of the same.

Q. Should a property owner be assessed for a sanitary sewer which passes his property at a depth of two or three feet. This is ordinarily too high for a service connection.

A. Yes, this property can be assessed for a sanitary sewer in proportion to the benefits received from the same. It would not seem advisable to the committee that a sewer of this depth would be installed, for the reason that in the winter time it would freeze and cause trouble. However, if this sewer is thus installed, it would be possible for the upper stories of any buildings erected on the same to connect up with this sewer, and in this way the property would be benefited and should stand part of the assessment. However, it would seem that it should not be assessed as much as a lot that would have complete sewer drainage.

Q. The health physician has reported to the city council that the railroad stock yards in said city are in an unsanitary condition and constitute a nuisance. What is the legal procedure, and what is the first step to be taken to abate the nuisance.

A. The committee would recommend that the mayor or city clerk take this matter up with the state board of health and inform them of this condition and ask that they give the same their attention. It might also be well to notify the board of railroad commissioners regarding this condition, and then if both of these methods fail to bring results it would be well to have the local board of health make an order ordering this nuisance abated and directing that the marshal notify the railroad company of this order,

and then if they do not comply with the same they could be fined for refusal to obey an order of the local board of health. The above methods are suggested first for the reason that they would not require the expense of litagation. However, if it is necessary to go further, the council may proceed under the method provided in their ordinance for the abatement of a nuisance.

Q If a railroad does not keep its street crossings in good condition, how can a city compel railroad company to do so.?

- A. Pass an ordinance requiring all railroads in the city to install and maintain adequate
 street crossings and in the same ordinance provide that in case they do not install the same,
 after being ordered to do so, that the city install
 the same and that suit be started against the railroad company to recover back the money expended in connection with this work. It would
 be well to have the order to repair or install
 passed by the council in the form of a resolution,
 the same as is true in the ordering of permanent
 sidewalks.
- Q. Where a permanent walk is ordered in, is it necessary for entire street to be brought to established grade, or only the bed of sidewalk.
- A. It is only necessary to bring the bed of sidewalk to grade. There is no law that compels you to bring entire street to grade.
- Q. To what extent can the special water works fund be anticipated to make improvements in water works.
- A. This procedure is rather lengthy, and we would say that sections 3995 and 3997 of the compiled code and chapter 288 of the 38th general assembly sets forth fully the procedure in the law covering the same.
- Q. In a town limited in its expenses to the income for the current year the same as cities, and if not, what limitation is there on the town issuing warrants.
- A. We do not know of any distinction on the limitation between towns and cities in this connection, and generally speaking, both towns and cities are limited in their expenses to the income for the current year except in cases where special provision is made for the issuance of certificates or bonds in anticipation of taxes to be collected in future years.
 - Q. A contractor has proposed to furnish

necessary material, equipment, and labor and cover with bituminous water proof wearing surface, two or more blocks of creosoted wood block payment now in place on certain streets. If the council accepts this proposition, should payment for this work, as above described, come from abutting property owners or from the general fund.

A. This is a repair job, and by following the proceedings set forth in the statutes covering repairing pavement, the cost of the same may be assessed to the abutting property owners and need not be taken from the general fund.

Report Committee on Legislation

(Continued from page 14)

passed to straighten out some tangle in the Des Moines water works situation.

This is all of the legislation affecting cities and towns to any extent that was passed by the 40th general assembly.

Many other bills were introduced and proposed, but either failed to pass or were lost in the mazes of the sifting committee. Probably the most important one of these was the measure with reference to the regulation of telephone rates. The telephone companies opposed the passage of any bill, but if such a bill was passed they wanted the regulation in the hands of the railroad commission. To the cities and towns it seems that there was no particular reason for putting the regulation of the telephone rates with the railroad commission any more than with the dairy commission or the food and game commission, or any one of the other numerous com-All local rate regulation at the present missions. time is in the hands of the city council and the municipalities naturally felt that the telephone regulation should be put in the same place. They should all be together. If there is ever necessity for a change, then all should be changed and not divided up piece meal.

Because of this conflict of opinion, no legislation whatsoever was adopted with reference to regulation of telephone rates. Such legislation is badly needed, and it is hoped that the special session will take up this matter and enact suitable legislation.

(To be continued in next issue)

Report of Committee on Judicial Decisions

G. A. Minnich, City Solicitor, Carroll, Chairman

In the preparation of this report all decisions affecting municipalities from 187 N W page 209, to the case of Heller vs the town of Portsmouth, 194 N W page 271 inclusive, have been examined. It was felt that it was impractical and inadvisable to go into minute detail regarding the certain propositions of law, such as practice and pleading and court procedure in preparing this report and that if such were done lit would not be of great interest to the majority of the members of the convention. However, we have tried to include in this report those matters which are of general interest to the officers of municipalities.

In this report the cases have been treated under general headings. Where cases involve branches of law they are included under what seems to have been the most important propositions discussed.

POWERS

The case of Incorporated Town of Sibley vs Ocheyedan Electric Co., 187 N W 560, is an interesting case defining the different powers of a municipality. In this case the town of Sibley in 1914 made a contract with a private corporation engaged in the business of distributing electric energy to the citizens of the town of Ochevedan, whereby the town of Sibley agreed to furnish and meter electric current at its corporate limits at a certain rate for a period of twenty years. In 1919 the town of Sibley adopted an ordinance in which reference was made to said contract and attempted to raise the rates, giving as their reason that the cost of production had increased since the date of said contract. The court in considering this case defines the two classes of powers of a municipality. One, legislative, public and governmental; the other, proprietary, quasi private. Under the first the municipality acts as a sovereignty and governs and controls the municipality. Under the second the municipality acts for the private advantage of the inhabitants of the city, and to a certain extent for the city itself. These two powers

are clearly separate and distinct and the functions of the municipality in its legislative or governmental capacity should not be confused with its functions in its proprietary capacity. Section 720 and 724 code supplement of 1913, gave cities and towns power to establish, maintain and operate electric light plants and to sell the products to any municipality, individual or private corporation outside of the city or town limits. It must be conceded that unless expressly conferred by the legislature the city council has no extra territorial powers in the exercise of its legislative governmental functions and can by ordinance act only within its territorial limits, unless expressly authorized by statute to do otherwise. But a municipality may contract in its proprietary capacity in regard to matters and things entirely outside of its corporate limits. This is essential to the life of a municipality. It may buy for its own use in the open market in accordance with its needs and make enforcible contracts for such purposes. It may also sell in the world at large such commodities belonging to the municipality as it may legally have a right and authority to sell. It is governed in its proprietary capacity by the same rules as govern a private individual or corporation. The legislature has expressly conferred upon a municipality the power to erect a light plant and has provided that the product may be sold to two classes of buyers, those within the city limits and those without the city limits, and has provided that rents or rates shall be assessed "from time to time in such a manner as the corporation shall deem equitable upon each tenant or other place" and that a tax may be levied to maintain the plant. This method all deals with the products supplied to the inhabitants of the municipality, and, the rate being fixed by ordinance, is done by the municipality in the exercise of its legislative function. The city was expressly given the power to sell its products in the ordinary and usual manner in which products are sold, that is by contract. The municipality having entered into a contract for the sale of its products to those outside of the city limits, the terms and declarations of such contracts rests within the sound discretion of the municipal authorities and when such contracts have been finally entered into they can only be overthrown by the court in cases of fraud, abuse or excess of authority, or other like grounds justifying the recission of contracts generally. In other words a municipal corporation dealing in its proprietary capacity is governed by the same rules as a private individual or corporation.

Another interesting decision involving the question of proprietary and governmental powers is the case of Bradley vs City of Oklaloosa, 188 Here the plaintiff's decedent was N W 896. killed by being run over by a fire engine on its return from a fire. The opinion, after setting out the two separate capacities of the corporation, one of which is private or corporate, the other governmental or sovereign, re-affirms the rule of law that for injuries inflicted in the exercise of duties in the sovereign or governmental capacity the corporation is not liable. Whether a city shall have a fire department, its character and extent is a governmental question and officers in the conduct and operation of a fire department are officers charged with a public service for whose negligence no action will lie against the city. Some question was raised that the accident would not have happened except for the method of parking cars. The case decides that the method of parking cars in a city was a governmental function and in the city's failure to provide therefor it was not liable.

OFFICERS

In Harding vs City of Des Moines, 188 N W 135, it was held that upon complaint of the chief of police, policemen were wrongfully discharged by civil service commissioner, acting under statutory authority, and upon appeal therefrom were re-instated. Their remedy against the city, if any they had, was an action in tort for damages and not an action on contract to recover salary for the time they were discharged.

POLICE POWER AND REGULATIONS

The decision of the City of Ames vs Gerbrach, 189 N W 729, holds that a city has the power to prohibit, by ordinance, moving picture shows on Sunday. It is immaterial whether an admission fee be charged.

A similar case in that it involved the question of prohibiting moving picture shows on Sunday is the case of G. W. Mart & Son vs city of Grinnell, 187 N W 471, this being an action to enjoin the enforcement of an ordinance prohibiting a moving picture show on Sunday, and alleged that the city had, by resolution, allowed the plaintiff to operate. The holding is that equity will not interfere with the administrations of criminal law. That equity will not assume that a law court will hold an invalid ordinance valid, for the same objections can be raised in any law court, and it will not be presumed that officers will harrass the plaintiff and that equity will not assume jurisdiction, where the plaintiff fails to show that there was danger of an irreparable injury. The mere reduction of his receipts is not such injury. Where the ordinance is not ultra vires, or in violation of contract obligations, the duty of the plaintiff is to obey the ordinance, and if he desires to question its validity he must wait until he is disturbed in his constitutional rights. The case re-states the general rule that an ordinance cannot be amended or affected by a resolution and that a city may not bargain away its police powers.

ANTICIPATION OF REVENUE

Pearrs vs City of Des Moines, 191 N W 136. This case involved a number of questions. Action was brought to restrain the city council and other officers of the city, which is under the commission plan of government, from issuing certificates of indebtedness in anticipation of revenues of said city, to be collected the following year and payable therefrom, from consumating certain contracts with various individuals for park sites, etc., and proceeding further to levy taxes or sell bonds necessary to carry out said projects or to include in the consolidated tax levy authorized by chapter 112, acts of the 38th general assembly and covered by paragraph 7 of section 894, supplemental supplement, and to incur indebtedness in excess of constitutional or statutory limitations. It appears that the city had been in the custom of issuing certificates of indebtedness for various forms of obligations of the city when the fund appropriated for that year became exhausted and paying the said certificates out of the revenues collected from the levy of the succeeding year. They also issued certificates of indebtedness in large amounts upon

which money was borrowed from a bank and "pay checks" issued to employees of the city instead of warrants, which pay checks were paid by the city treasurer out of funds borrowed from banks. The court held in construing the two parts of section 668, paragraph 16 of the code supplement relating to appropriation that the authority conferred upon the city council is to anticipate the revenues to be collected for the fiscal year in which the appropriation for that year had been made and makes it unlawful to issue any warrants, enter into any contract or appropriate any money in excess of those appointed for the expenses of the city during the year for which said appropriation shall have been made. While holding that certificates of indebtedness may not be executed in anticipation of revenues to be collected the succeeding year, yet if there was any surplus of the fund at the close of the fiscal year it may be applied on certificates of indebtedness which had been drawn on that fund. They also hold that section 1056 A 30, relating to causing ordinance or resolution, passed by cities of commission form. with reference to making contracts, be on file at least one week before its passage applied to contracts for purchase of playgrounds and it is also applicable to acts of the 38th general assembly, chapter 168, section 1, authorizing an additional tax for park purposes. It also holds that a city cannot include in its budget tax levy the provision as provided in paragraph 7, section 894, authorizing that a tax may be levied for paying water rentals to an individual or company owning the water works where the city in fact owned its own system.

RIGHTS AND REMEDIES OF TAX PAYERS

Van Horn vs City of Des Moines, 191 N W 144, states that a clear distinction must be recognized from a citizen and tax payer to maintain an action to restrain the valid exercise by a city council of its legislative functions, and an action in which an injunction is sought to restrain such officers from acting or proceeding illegally in the exercise thereof. A court of equity may in certain cases at the suit of a tax payer restrain the illegal action of public officers.

FRANCHISES

In the case just cited the council passed an ordinance alowing a higher street car fare than had been allowed in a former ordinance granting franchise to the street car company. A city election had carried on this proposition and the tax payer claimed a vested right under the former ordinance containing the provision for a lower fare. The case points out that a franchise legally granted and accepted cannot be revoked without the consent of grantee in the absense of a reservation of that right. Here the street car company had, of course, consented to the higher rate. The decision further points out that a patron of a street car company has no vested rights merely from the fact that he might and did ride upon a street car.

USE AND REGULATION OF PUBLIC STREETS

The Star Transportation Co. vs Mason City, 192 N W 873. A motor bus line operated on regular schedules on the paved streets of Mason City to surrounding cities and towns, doing no strictly local business except receiving and discharging passengers from and to, without the city, and had their general officers as we understand it in said city. The city passed an ordinance requiring a license tax on each bus of \$300.00 per year and to file a bond for \$50.000. for each bus operated as an indemnity against accidents. In a lengthy opinion the court finds that the city had a right to license and control such a business as was conducted by the Transportation Company; that a \$300.00 license fee was not unreasonable for each bus and that the acts of the 39th general assembly, chapter 115, section 1, granting power to the city to regulate motor vehicles taking passengers for hire on the plan followed by the street railway companies was applicable to this situation. However, the case was reversed on the ground that a \$50,000. bond was unreasonable, the statute having authorized a \$10,000. bond.

Since the appeal on this case the 40th general assembly placed such carriers under the railway commission but specifically states that section 754 A supplemental supplement of 1915, and chapter 115 of the 39th general assembly above noted, both relating to the regulation of jitney busses in cities and towns were not repealed. It would therefor appear that cities and towns have the same rights to regulate such carriers within its limits as is shown by this case. PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

In Lumberg vs Lake City, 187 N W 438, one of the main questions decided was that the

use of soft brick with cement, where suitable hard brick could not be obtained, would not invalidate a contract for sewer manholes and constitute fraud invalidating an assessment. The centract in this case had ordered that hard bricks were to be used.

In the case of Tobin vs Town of Manson, 187 N W 599, the court held that where land is used for agricultural purposes it is improper to base a valuation for paving assessment upon the amount which this property would bring if converted into city lots. It also holds that where one has appealed from an assessment, even though successful, he has no right to pay said assessment in installments by filing a waiver. The provision allowed of signing a waiver and paying in installments being expressly for the purpose of avoiding litigation.

In Turner vs Cobb, 192 N W 847, an action was commenced to enjoin the county treasurer from selling lots for an unpaid sewer assessment. Years before the improvement the owner of twenty-five acres lying contiguous to the town platted these lots as a certain addition to the town. No compliance had ever been made regarding the provisions for adding territory to the corporation, but the town had maintained and graded the streets and it had been treated as a part of the town. It was held that this had not become a part of the corporation as the owner could not do so by merely filing a plat and the assessment could not be legally made.

In Royal vs city of Des Moines, 191 N W 377, the court held that proceedings to assess for improvements, consisting of opening and extending and grading a street in which no paving was contemplated or done, was governed by section 751 code supplemental supplement 1915 as to establishing streets and not by section 792 G. and 792 as to street improvements, and that the cost of grading may be included in the assessment of the benefited district. Their conclusion is reached by finding that the words "established, lay off and extend' involve acquiring lands and preparing them for the public use and that grading is a part of that work. This being governed by section 751 above noted the assessment district may extend more than half way to the next street.

In Horabin vs City of Des Moines, 190

N W 380, the question involved the interpretation of a clause regarding a paving bid which was formulated by the bidder and the court held that it would be construed most strongly against the bidder, it having been formulated by him.

In Wigodsky vs Town of Holstein, the proposed resolution of necessity for paving described the proposed types of concrete paving but did not specifically mention vibrolithic. paying is a concrete granite paying differing from other concrete paving only by the method used in finishing. The paving is finished by vibrating the surface and thereby acquiring a greater density to the pavement. It was held that the notice was sufficient as it gave the materials and was not necessary to describe the method of construction in detail. The specifications for vibrolithic paying were not on file before publishing notice to bidders, but were sent to all prospective bidders and filed before the letting. the time set for filing objections to improvement, and before publishing notice to bidders, the council adopted a resolution setting out vibrolithic as one of the types of paving. It was held that the assessment was not invalidated as the specifications were to secure uniformity and accuracy in bidding and it was of little use to those objecting to the adoption of a proposed resolution of necessity, and the fact that the full specifications of the type of paving, in controversy prior to the publication of notice to bidders, were not filed under the admitted facts in this case was not a ground for holding a contract invalid.

The resolution of the council describes certain types of concrete paving as classes "M" and "L" to be six and seven inches in thickness The classes on the form furnished respectively. bidders were placed in alphabetical order so that the seven inch was listed before the six inch, but one of the five bidders upon this type bid less for the six inch than for the seven inch paying. tabulating the council concluded this was a clear mistake due to the alphabetical order of the other classes and the transposed order of classes "L" and "M" and treated the bid of the Western Asphalt Paving corporation for the seven inch paving as its bid for six inch paving. representative of the said bidder admitted the mistake. It was held that the mistake was so patent that the council could not have construed the bid otherwise than the manner in which they did. It would not contravene the statute providing that contracts of such kinds be given to the lowest bidder, which statute is mandatory.

In Dayton Oldham Granite Works vs Mason City, 194 N W 200, property owners petitioned for sewer and waived limitation of assessment. Notice of proceedings as provided by section 816 supp. was filed with the county auditor. After this filing a purchaser, without notice of the agreement of the property owners waiving limitation, secured the property and claimed he was not bound by the agreement as he had no notice of the waiver, and no record was filed as provided by code section 2925 as an instrument affecting real estate. The court held this is not applicable to special taxes for public improvement.

TORTS

Miller Grocery Company vs City of Des Moines, 195 N W 306, is an interesting case and illustrates the distinction of a city acting in its proprietary and governmental capacity. this case a defective hydrant broke and flooded a basement. The court points out that a water works is used by the city in two capacities, one. governmental for fire protection, the other. proprietary in the selling of water to its custom-That a fire hydrant while a part of a fire system was also a part and used continually as a valve or plug in the system for furnishing of water to its customers for which it received a gain. Had this hydrant been used solely for fire protection it is conceded that the city would not have been liable for negligence in its construction, but here it served for a dual purpose and the city was held responsible.

In Hirst vs City of Missouri Valley, 188 N W 783 the court follows the rule laid down in Johnson vs city of Ames, 181 Iowa 65, that a depression of about three inches in a sidewalk was not such a defect as would render a city liable for injuries to one who sprained his ankle. It shows a tendency to get away from the line of former decisions which were getting where it practically made a city an insurer to persons injured in the streets.

The case of Ray vs City of Council Bluffs, 187 N W 447, restates the rule that a city is not liable for injuries sustained by persons slipping upon snow, falling or remaining in its natural state, or by slipping upon ice which is level and smooth, but is responsible only where the snow or ice is in a rough, rounded, uneven, sloping or ridged condition so as to render the sidewalk dangerous to persons traveling thereon.

Dalbey vs Town of Irwin, 191 N W 119 holds that the construction and maintenence of a sidewalk with a very smooth surface on a four percent grade was as a matter of law not negligence.

Spurlin vs Stratford, 191 N W 724, holds that the town, the lot owner, and trench digger hired by the lot owner could be sued jointly where joint failure to barricade a ditch dug in the streets of the town was the cause of the injury. The statutory liability of a town to keep its streets in a reasonably safe condition is not lessoned because it is created by another party.

Myers vs City of Des Moines, 193 N W 537, is an action for damages of a pedestrian for slipping on ice allowed to accumulate in a rough, rounded and icy condition on the sidewalk, the evidence tending to prove that it had been in this condition for three weeks. The court held that this had been a long enough period to constitute knowledge on the part of the city of its condition.

In Parks vs City of Des Moines, 191 N W 728, the plaintiff fell upon the sidewalk four days after the fall of snow. It had been freezing and thawing in the meantime making the sidewalk in a rough, uneven and icy condition. The court in its opinion states that there is no fixed or definite rule as to the length of time a defect or obstruction in the street must have existed to furnish notice to the city and each case must depend upon existing facts and circumstances. Here they held that under the conditions of the weather existing from the time of this snowfall to the time of the accident the city must have had knowledge of the condition. In a vigorous dissenting opinion Judge DeGraffe shows that in such cases it might be impossible for the city to maintain such a street cleaning department as would keep its streets free from snow and ice under all conditions in our Iowa climate and the municipality should not be an insurer as to the condition of its sidewalks in relation to snow and ice. In this case there was some evidence that the snow melted on an adjacent bank and the water ran onto the sidewalk. This fact would not necessarily defeat recovery against the city.

In Frisk vs City of Des Moines, 193 N W 570, it was held that a sidewalk constructed by a city across a private driveway was not defective because the driveway sloped six inches down to the street in a walk thirty-eight inches wide. The case points out that the determining point of negligence in constructing a sidewalk was not that the plans and specifications for said sidewalk were not followed in its construction, but that the determining question was the actual condition of the walks as constructed.

Shannon vs City of Council Bluffs, 190 N W 951, was an action for damages for the death of plaintiff's intestate. The facts are as follows: there was a double bridge having a central truss with passage space 26 feet wide on each side. The automobile in which plaintiff was riding struck the central truss. The court held that code section 1572 requires that bridges shall be 16 feet in width and a traveler on a road where the traveled portion is twenty or more feet in width is bound to know that he is liable to come to a bridge which is only 16 feet wide with trusses on each side and it is his duty to so drive over this narrow passage way so as to avoid a collision with the trusses or guard rails of the bridge and the city was not negligent in maintaining double bridges with trusses in the middle of the street. That the city was not required to light its streets unless the condition of the street is such that reasonable care would require it to be lighted. It is not every obstruction in a street which constitutes a negligent act, but the negligence is usually in the manner of guarding it. An arc light being in operation 40 feet from the bridge, and another one 300 feet, sufficiently lighted the bridges and the city was not negligent.

Lastly we shall consider the case of Heller vs Smith, 188 N W 878. This arose from an Armistice Day celebration on November 11, 1918 in the town of Portsmouth. The facts as set forth in the opinion state that when news of the suspension of hostilities in Europe became known, two members of the town council went to the village blacksmith and solicited him to help in the exercises of the day by "shooting anvils." The mayor, Monahan, then appeared on the scene and on being told what was proposed said "yes shoot," and on being asked "where" said "in the street" and helped in getting powder. The plaintiff a twelve year old boy,

was seriously injured by the breaking of a wagon burr substituted for an iron ring placed between the anvils and containing the powder by other celebrants after the mayor, councilmen blacksmith had left the scene. The court sustained a motion for directed verdict for the town and after reviewing numerous authorities the decision states that generally speaking where a town permits or creates a condition in its streets of such a character as to be obviously dangerous it constitutes a nuisance per se. If not obviously or inherently dangerous when properly guarded or cared for, it was not a nuisance per se. That the firing of anvils was not a nuisance per se but was a question of fact in this case to be decided by the jury. The fact that the officers of the town participating in the act did not create any liability on the town only in charging it with knowledge of the act. On a petition for rehearing of this case quoted 194 N W 271, the directed verdict in favor of the town was allowed to stand on the basis that the allowing of anvils by the council was not an official act and the placing of anvils there was not the approximate cause of the injury. That the injury was caused by the improper handling of anvils by third persons for which the town was not bound to anticipate.

WHO DO YOU BOSS

A great many municipal officials and employees often forget who they are working for. Some act as if they believed that because they have a litte brief authority, that they are the boss and the people should all take orders from them. average official and employee would be much more popular and get better results if he will only appreciate once that he is working for the people, that the people pay his salary, that the people are his boss. The employee who looks down upon his boss or who treats his boss as if he were an inferior does not usually get far and if public officials and employees would only appreciate that the boss is entitled to a little eonsideration the relation between the officials and employees and the people will be much more satisfactory to all concerned.

Seizure of liquor in an automobile without a warrant is lawful, the Michigan supreme court recently ruled, according to 190 Northwestern Reporter 289.

Wrongs Without a Remedy

Bulletin Philadelphia Bureau Municipal Research

City council's committees on law and finance have approved an ordinance which would satisfy a claim for damage done by a skidding fire engine. Persons and property are frequently injured by municipal employees, sometimes negligently, although in this instance there is no charge of negligence against the firemen. Negligence or no negligence, however, claims of this sort very rarely receive favorable consideration. It is worth while to inquire into the reasons.

The general rule is that a "master" is liable for the wrongful acts of a "servant" done within the scope of his employment. When a municipal corporation is the master it is liable when the damage is done in the performance of what are sometimes called its "corporate" functions. But unless otherwise expressly provided by constitution or statute, a municipal corporation is not responsible for injuries, even tho they are the result of negligence, which are inflicted in the performance of its so-called "governmental" or "public" duties."

It is not easy to state which functions of a municipal corporation are corporate and which are governmental, and explain why. The court decisions on the subject are more or less confusing and might confirm Mr. Bumble's conviction that 'law is a ass, a idiot.' He would comprehend only with difficulty, if he could comprehend at all, why, for example, a city should be responsible, as Philadelphia is, for loss resulting from negligent failure to keep the streets in repair, and should not be responsible, as Philadelphia is not, for the negligence of its policemen and firemen. Nevertheless, although these distinctions are sometimes very hard to follow, they exist and must be reckoned with.

Briefly, the corporate functions of a city are those which are principally of local interest and concern, and the governmental or public functions are those which are of concern to the whole state, in the performance of which the city acts as the state's agent. The reason for a city's immunity from liability for wrongful acts done in

the performance of governmental duties seems to be that since the state cannot be sued without its consent, municipal corporations likewise cannot be sued without the state's consent for anything that happens when they are doing the state's work.

Of course a municipal employee who has negligently caused a loss is personably liable. But the liability of an employee is not likely to be very valuable to the person who has been hurt. The rule that the municipality is not liable often creates, therefore, what looks suspiciously like a "wrong without a remedy." We have the assurance of the lawyers that there is no such thing, but the lawyers, it is said, look first for a remedy, and if they can find none, insist that there is no wrong.

Since these claims cannot be prosecuted against the city in the courts, should they be carried as "moral claims" to the city council? Assume that council has the right to pay such claims, a point that is by no means free from doubt. Is it wise to pay them? A little reflection will convince anyone that council would would be very unwise to pay one of them unless it is willing to consider all of them. And this, it is obvious, council cannot properly do. Sifting the meritorious from the spurious in such claims is work for which only the courts are qualified and equipped.

In the last session of the legislature a bill was introduced providing that negligence of a municipal employee might be imputed to the municipality. The bill was later amended to except negligence of police and fire departments, but it did not pass. Its special purpose, as was quite candidly explained on the floor of the house of representatives, was to make Philadelphia liable for the negligence of its forces engaged in street cleaning and waste removal, in order that the cost of municipal performance of this work might be made more fairly comparable with the cost of contract performance. The courts have not yet decided finally whether this

work is "governmental."

Many would probably feel that the reasons given for the passage of the bill mentioned in the preceeding paragraph were not the best that could be invoked, but would still favor its passage. And it does seem no more than fair that some such relief should be granted. The principle on which the legal right to relief is denied, that a state cannot be sued without its consent, is a near relative of the maxim: "The king can do no wrong." This, of course, means simply that the king can do a lot of wrong without being called to account. One might almost suspect that kings had assisted in formulating the maxim. At any rate, it may be doubted whether the majority of citizens, if they understood, would care to have their municipalities take refuge much longer behind such a defense.

OHIO CITIES OWN UTILITIES

Seventy-seven Ohio municipalities operate their own water plants and 27 have municipal electric light systems. Hamilton, Bellefontaine and Lancaster operate municipal gas plants.

Ashtabula is the only city that owns its own street railway, but Cleveland, Toledo, Cincinnati and Youngstown have service-at-cost agreements with the traction companies.

Cincinnati owns and leases a railroad, The Cincinnati Southern Railway which operates between Cincinnati and Nashville, Tenn.

The Portland Cement Association has contributed to the movement for better building codes a compilation of the latest available information relating to building construction. This compilation is in the form of a Recommended Building Code for cities of 25,000 to 150,000 population. This code which is based upon a large number of America's building codes, including the code of the Industrial Commission of Wisconsin, has already been adopted in its entirety, or with only minor changes, by a number of communities. In the hands of those engaged in studies of existing codes this Recommended Code will prepare the ground for an intelligent revision and will save a great deal of time and effort. Copies may be obtained by addressing Portland Cement Association, 111 West Washington Street, Chicago, Ill.

INSPECTION OF MILK SUPPLIES

"The work of milk inspection has broadened in recent years and now includes more than the detection of adulteration, though many people in their ordinary use of language do not recognize this fact, and continue to speak of "pure milk" as milk that is not watered and contains no preservative," say Ernest Kelly and C. S. Leete joint authors of Department Circular 276, Inspection of Milk Supplies, just issued by the United States Department of Agriculture. "The bacterial content of the milk must always be taken into consideration when designating milk as pure. The chemical, bacteriological, and sanitary aspects should not be confused. Each is essential in studying the purity of milk."

Circular 276 treats of inspection in the city as well as on the farm. It gives the qualification for milk inspectors, and discusses milk ordinances. The score card system of inspection of dairy farms and milk plants is described, and samples of score cards for each are reprinted. The circular also takes up laboratory control, giving a list of equipment and the procedure for analyzing samples of milk.

"Milk inspection has reached the point in its development where three distinct features are now practically essential." says the circular. "These features are: Dairy inspection, dairy instruction, and laboratory control." "As recontamination after pasteurization may prove serious, the milk-control officials should make frequent and methodical examination of apparatus, bottles, and cans with which the milk comes in contact after pasteurization. Laboratory control of this phrase of work is essential. Those who handle milk or milk containers on farms where milk is sold for use in its raw state or in pasteurizing plants should be subject to frequent medical inspection." The circular may be obtained, while the supply lasts, upon application to the United States Department of Agriculture. Washington, D. C.

Cop: "Have you got a state license to drive a car?"

Motorist: "Certainly. Do you want to see it?"

Cop: "Don't talk back to me. If you've got one, what do I want to see it for? If you didn't have one, then I'd want to see it."

Information Bureau

Questions Answered Free for Officers of Members of League of Iowa Municipalities

G. W. B.—Can we hire our assessor to do a piece of paving for this city? Would it be legal? The assessor is elected by the people, is paid by the county and gives bonds to the county reports to county in every particular.

There is no question but what the assessor is a city official, even though he reports to the county and is paid by the county. In a good many respects he is a county officer but he is elected by the people in the city and is in fact a city officer. From the fact that he is a city offiger, he would not be allowed to do any work for the city and receive pay for the same.

E. C. E.—Can towns receive from primary road fund all expenses for grading, draining, graveling and also for the necessary right of way of primary road.

The present law provides that the right of way for new primary roads in towns shall be paid from the primary road fund the same as they have been in the past paid in the country.

J. H. K.—A stray dog in the town on private property with small pups, the boys were told to stay away, but went to play with the pups and mother dog bit one of the boys, the father of the boy is now trying to collect the medical fee, and price of the medicines, also for two drives to neighboring town to the doctor as the doctor was out of town here.

In regard to the bill for medical treatment for the boy who was bitten by a dog. I can see no possible reason why the town should be held for this bill. There is no provision in the law anywhere that a city or town must pay doctor bills. If a man is unable to pay his doctor's services, he becomes a county charge and the county must take care of him but in no case is a town liable for medical attention.

S. G. V.—Under our compensation laws would the town be liable in case of accident to marshal or night watch hired by the town, in case they are hurt in their particular line of work.

The town would be liable in case of accident to the marshal or night watchman, or in fact for any other employee of the town who is injured in their line of work. This is what the compensation law is for, to take care of people

injured in their line of work and the law applies to cities and towns the same as any one.

W. G. C.—Is it the state law that a town or city has to furnish dumping grounds for the citizens?

There is no state law compelling cities and towns to furnish dump ground for their people but the law authorizes cities and towns to secure dump grounds either within or without their town limits. In other words the town has the right to secure dump grounds, but is not compelled to furnish them.

J. P. J.— Will you please advise whether it is legal to use the improvement fund of the town to clean out the large ditch which flows through the town. It is very much in need of cleaning out before the winter freeze up comes, hence this letter, as your answer will govern our levies for the coming year, which we have already made, but which we may wish to revise.

If you will read sub-division two (2) of section 894 of the code of 1897, section 4038 compiled code you will see just exactly what the improvement fund can be used for. It can be used for paying the cost of street improvements at intersections of streets and this is all. Strictly speaking, improvement funds cannot be used to clean out a ditch such as runs through your town.

E. M. D.—We have an addition to this town that has now petitioned the council for a cement sidewalk from main street of town to this district, a distance of about two and one half blocks. I want you to draw me up an ordinance so we can have this side walk put in.

The supreme court has held that before a town can order in a permanent side walk and tax cost up to the abutting property, that the town must have a side walk ordinance, that a permanent grade must be established on the street, and that the bed of the side walk must be graded so that when the side walk is completed it will be at the established grade. If you do not have a side walk ordinance and pass the one inclosed, and then if you have a grade established on the street where this side walk is to be built and the grade of the side walk graded, you can go ahead and

build the side walk and tax the cost up to the abutting property.

W. B.—Under the new poll tax law what additional amount must be paid by parties who do not pay their poll tax to the town during the summer or fall? We collect \$3. poll tax here and always have a few who fail to pay. What amount should they be charged in certifying their names to the county auditor?

It depends on your ordinance in regard to poll tax as to what if any thing, you will charge in addition on condition the poll tax is not paid when due. If you do not have a poll tax ordinance you cannot either collect the poll tax or a penalty, so you should have an ordinance covering this. If you do have an ordinance you should be governed by the same, and if you do not have an ordinance, let me know and I will send you one.

W. E. D.—In response to a call by the mayor and the publication of a resolution of necessity, looking toward the paving of main street, a number of property owners abutting the street in question were present and objected to the paving proposition, unless the cost can be taxed to all the property in town. Is there any way that this can be legally done?

There is no way that the cost of paving can be taxed up to all the property in your town. The law provides that the cost shall be taxed to the property within one-half of the distance to the next street, not however, to exceed three hundred feet. This is the only property that can be assessed for such street improvement. If your main street is a primary road you can get this paved and most of the expense paid out of the primary road fund. If your main street is a primary road, read the article in the September issue of American Municipalites dealing with this question.

O. S. H.—The city has a cemetery outside the city limits. The money taken in for the care of lots and for the sale of lots has paid the expense and left a surplus. The council, or rather a part of the members, want to pave one of the avenues through the cemetery. They have gotten specifications and advertised for bids, reserving the right to reject all bids, Bids were received and all rejected. Can council spend the money for that purpose, and if so, can they let the contract to whomsoever they please without regard to the bids received and without advertising.?

If you have the money in the cemetery fund and desire to improve the road in the cemetery by paving or in any other way, you can go ahead and improve the same without advertising for bids, or do it in any way you desire. If you expect to assess the cost of the improvement up to private property it would then be necessary to comply with all the provisions of the paving law, but so long as you have the money to pay for improvement you can make the improvement in any way you desire.

G. E. C.—Our paving contract is about completed and we have had kicks from some property owners in regard to the parking or in other words, the space between the curb and the side walks. In some cases the parking is below the level of the street and in other cases quite a little above and some of the kickers claim we should fix the parking, but as I understand it we cannot use public money for that purpose and that each lot owner must fix his own parking space, but we are not sure about this and would like to have your advise on the matter. The paving has been laid to the grade established by the engineer in all cases.

There is no question in my mind but what the town ought to fix the parking between the curb and the side walk. While the property owner is compelled to build the side walk, the curb and pavement, he has no title to any part of the street and in fact the state provides that side walks or curbs shall not be built until the street is brought to the established grade. I am very sure that the town should fix this parking and if the town refuses or neglects to do so and the property owner wants it fixed, then the only thing he can do is to fix it himself, as there is no way he can compel the town to do it.

R. H. F.—In building or repairing side walks at the corner of each block, who pays for the corner block, if a walk was 4 feet the block would be 4 feet square. The town is repairing and building same and we have one I2 frontage and one 8 foot on the side and he thinks the city should pay for this 8x12 foot block at the corner.

The supreme court a number of years ago held that the town must pay for the side walk at the corner where two walks intersect. The law provides that side walks may be taxed to abutting property and this piece of walk at the corner does not abut on any lot. This question was taken to the supreme court in a case from Cedar Falls, Iowa.

Where a mayor is going away for the winter to be gone four months and election comes before he returns, who signs the warrants while he is gone or what is the thing to be done by him before leaving.

Where a mayor leaves town temporarily, even tho he expects to be gone several months,

there is no one that can exercise the duties of mayor. If he desires he can, resign before he leaves, but you cannot compel him to do so. So far as signing the warrants is concerned, there is no provision in the law requiring the mayor to sign warrants and a warrant is just as good without his signature. The law does provide that all warrants shall be sealed with the city seal and if the mayor has charge of your seal, as provided by law, he could leave this seal with you to stamp the warrants. A good many towns do not stamp the warrants with the town seal, and they are paid just the same.

C. V. F.—This is the season of the year when our local merchants and wholesalers in fruit and vegtables get uneasy over the practice of parties shipping car loads of produce, such as apples, potatoes, and onions and sell this produce from the cars. The railroads have stopped the practice of selling on their sidings, but these fellows get the privilege of private sidings or unload their cars into some warehouse and sell from the warehouse.

There is certainly no reason why you cannot charge people shipping anything into your town and selling it, a license. These people are without doubt transcient merchants, and you can probably get them under your transcient merchant ordinance.

There is no state law covering this. but I am very sure that a city can pass an ordinance prohibiting all such sales, and in fact I imagine that your transcient merchant ordinance would already include this.

R. E. M.—Refering back to your letter with regard to alley being occupied by private party for a number of years not giving him title to same. What is the proper proceeding to start if this man refuses to vacate said alley?

There are two ways to open an alley that belongs to the public and occupied by a private individual. One way is to go ahead and open it up, that is have the street commissioner or someone else remove all obstructions and fense-from the alley and use it as an alley. The man occupying the alley would have no right to interfere with the town removing any obstructions from a public alley and this is probably the best and quickest way to get the alley opened up. The state law makes it a crime for any one to obstruct any public highway, and you can if you desire, file a criminal charge against the man maintaining the obstructions in the alley and prosecute him under such in-

formation. If the information is filed and the man arrested the chances are that he will agree to remove the obstructions rather than be fined for violation of the law. He can be arrested for continuing to obstruct the highway, that is if he is arrested once and fined and does not remove the obstructions he can be arrested again.

R. C. M.—We have no ordinance regulating the installation of a "filling station" or service station for automobiles. Will you kindly give us such information as would be necessary under such conditions as to what jurisdiction we have over such where they are located on private grounds. Do they have to secure a permit and what is the statutes where abutting property owner object.

The council has no particular control over filling stations, but they do have absolute control over inflammable oils including gasoline, and this control over inflammable oils gives them control over filling stations. The council can adopt any reasonable rules it would desire in regard to storing inflammable oils. and if a man desires to store gasoline which he must do at a filling station, the council can provide rules for such storing.

While the council does not have control over filling stations a man would be very foolish to build a filling station without the consent of the council because the council could pass an ordinance in regard to storing of inflammable oils that would make his filling station of no value. Under the power regarding inflammable oils, most cities and towns have taken action in regard to location of filling stations and those constructing a filling station have secured permission from the council to erect them. The law in regard to inflammable oils refers to private properties the same as streets and alleys, so this gives you control anywhere in town. I doubt if the adjoining property owner has any power in the matter except to appeal to the council, but the council has all the power needed, as above suggested.

STREET SIGNS

Kansas municipalities report that the city of Emporia is using the spare time of its employees to stencel the name of the street on the curbs at street intersections. On the curb is the best place for a street sign for a person in a motor car especially if it is enclosed. Most cities and towns have some employees who are not busy all the time and this idea of street signs on the curbs might well be considered and a fine improvement secured for only the cost of the paint.

Public Superpower

League Launching Nation-wide Movement to Electrify the Continent

The Public Ownership League of America is launching a nation wide movement for a public superpower system to cover the continent.

The officials of the League who have just returned from the international public ownership conference held in Toronto, September 10-13, announce that they have been instructed by unanimous resolutions of the conference to proceed at once with plans for a nation-wide drive for a public superpower system.

Such a system, Mr. Carl D. Thompson, secretary of the League declares, will result in a production of electric power far beyond the wildest dreams of engineers of the private companies of to-day; will reduce the cost of service to one half, if not one third present rates, make possible the universal use of electric power, electrify the continent and open the greatest era of prosperity and progress the world has ever known.

The drive as ordered by the Toronto conference will, it is believed, ultimately reach and affect every section and group in the United States and Canada. The first objective, naturally, is in the states.

First of all, the officials of the League are instructed to have drawn a suitable measure for introduction at the next session of congress providing for a Federal Superpower Commission to be charged with the duty and responsibility of developing the nation wide public superpower system in co-operation with state, municipal and local public agencies.

Next a careful canvass is to be made of the members of congress in order to ascertain their views upon the subject and to supply them with all the essential facts and information relative to the possibilities of such a system as is proposed.

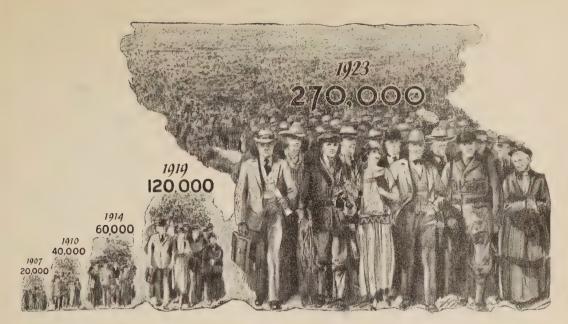
Meanwhile, an appeal is to be addressed to the governors of all the states and to the state legislatures urging upon them the tremendous opportunity in this field and the necessity of their supporting the movement and the measures both in congress and in their respective states. Similar appeals will be made to the municipalities throughout the nation.

It is the belief of the officials of the League that no other issue is so vital to the general welfare on the continent to-day as this public superpower project. Once the facts are fully presented and clearly understood by the progressive forces of the nation, it is believed they will quickly recognize this project as the most strategic move in the world to-day.

State movements for public superpower are already under way in California, Oregon, Nebraska, Minnesota, Washington, Georgia several other states. It is hoped that these movements will all be drawn into co-operation with the national movement. Municipalities such as Los Angeles, Seattle, Cleveland, Lincoln, Chicago, Springfield, Illinois, Pasadena, Tacoma to say nothing of the over 2,000 smaller cities that own and operate electric light and power plants, have a vital interest in the movement for public superpower as the only means of maintaining the success of the projects they are now operating. The great Hydro-Electric Power system of Ontario, which is the largest electric power system in the world and a most outstanding demonstration of what is possible in this field, will, of course, be counted on to give its support and cooperation to the movement.

And, finally, a nation-wide appeal will be made to every progressive organization and association in the nation, first to urge that they inform themselves thoroughly upon the vital importance of public superpower and the unparalelled opportunity that it offers for constructive progress; and then to lend their support to the movement.

The League is anxious to hear from any and all individuals and organizations who desire information on the subject, who are interested and help in promoting the movement. Address Public Ownership League, 127 N. Dearborn Street, Chicago, Illinois.



These groups of stockholders illustrate the rapid growth in ownership of the Bell System.

A Community of Owners Nation-wide

"Who owns the company?"
"What is behind it?" These questions are asked in appraising the soundness of a business and in determining its aims.

The American Telephone and Telegraph Company is owned by more than 270,000 people living in every state in the Union. Could the stockholders of the Bell System be gathered to one place, they would equal the population of a city about the size of Providence or Denver.

They constitute a representative cross-section of American citizenship. Among them, of course, are bankers and men of large affairs;

for the idea of ownership in the Bell System appeals to sound business judgment and a trained sense of values.

In this community of owners are the average man and woman, the storekeeper, the clerk, the salesman, the professional man, the farmer and the housewife—users of the telephone who with their savings have purchased a share in its ownership. The average individual holding is but twenty-six shares.

No institution is more popularly owned than the Bell System, none has its shares distributed more widely. In the truest sense it is owned by those it serves.



"BELL SYSTEM"

AMERICAN TELEPHONE AND TELEGRAPH COMPANY AND ASSOCIATED COMPANIES

One Policy, One System, Universal Service, and all directed toward Better Service

REDUCTION IN VARIETIES OF ASPHALT

In a meeting of producers and consumers of asphalt held some time ago at the department of commerce, the 88 varieties of asphalt used for paving purposes were reduced to 9, and 14 varieties used as brick and stone block fillers, were cut to 4. Since three of the grades adopted for fillers are identical with 3 of those adopted for paving use, the actual reduction is from 102 to 10, or practically a 90 per cent elimination. One manufacturer stated to Mr. William A. Durgin, chief of the Department of Commerce Division of Simplified Practice, "had this simplification been effected a year ago it would have saved our company over \$200,000." Durgin pointed out that there are 22 firms within the United States in this business.

Fifty four per cent of the debt of the city of Toronto has been invested in services that repay the city for all principal and interest, or in other words a business undertaking such as waterworks, electric system, and transportation system.

MUNICIPAL BOND SALES TOTAL AGAIN SMALL

Following a decline from \$168,000,000 in June to \$54,000,000 in July, total sales of state and municipal bonds in August again reached \$53,710,718. Not in years, reports The Daily Bond Buyer of New York, has the municipal bond business been so inactive.

The only large offering of new bonds, a \$15,000,000 State of Illinois 4½ Soldiers Bonus issue, did not sell although a number of the biggest dealers in that type of bond were prepared to underwrite the loan provided the state would entertain a reasonable bid.

New issues for the months of July and August combined aggregate only about two-thirds of the total output of bonds in the month of June.

ARTHUR L. MULLERGREN

CONSULTING ENGINEER

Specialist in
Electric Light, Power and Water Pumping

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DES MOINES ELECTRIC METER CO.

OELWEIN, IOWA

Eighteen Years Experience

Our Shops are complete for repairing and putting in first class condition, all makes of electric meters and standard instruments. Send us your work.

Our Testing Laboratories are equipped for accurate testing and calibration of integrating, indicating, rotating, and recording instruments. Our seal on your measuring equipment stands for accuracy. Give us a trial.

Our District Testing Equipment for inspection, testing and adjustment of service meters right on the customer's premises is of the highest quality and we employ only men of high class, ability, and character on this work.

Operating to-day in five states and giving entire satisfaction.

Let our representative talk the matter over with you. No obligation incurred.

"The Standard Meter Service Company of America."

Tested in Advance

THE Quality of Vitrified Paving Brick always is certain, tangible, determinable before the brick are laid on the road. Their durability can be measured with exactness before the taxpayers' money has been spent. This is one of the reasons for public confidence in

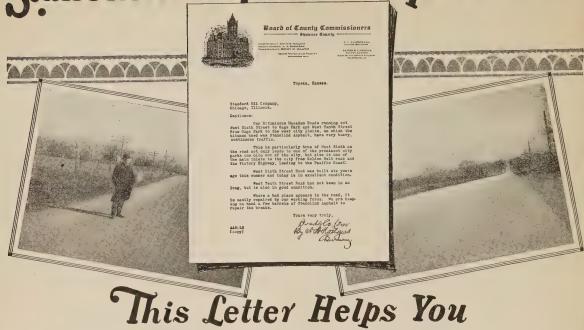
Vertical Fiber BRICK PAVEMENTS

Weaknesses of substitute and less durable surfaces can not be discovered until after the pavement is down and the taxpayers' money has been spent. This is because such wearing surfaces are not and can not be tested in advance in the same manner and with the same definite assurance of foretelling behavior under traffic as can brick surfaces. Advance testing is only one of many reasons why brick pavements last so long and cost so little for annual maintenance and repair.

WESTERN PAVING BRICK MANUFACTURERS ASSOCIATION

DWIGHT BUILDING, KANSAS CITY, MO.

Stanolind Asphalt at Topeka, Kans.



POR your benefit, the men who have actually used Stanolind Paving Asphalt are willing to tell you of its many good qualities. They know that the construction and maintenance of the roads and streets in your community is a problem which you can solve best by building pavements which will stand well the destructive truck and automobile traffic of today.

Therefore, letters such as the one reproduced above should be of great help to you, as they offer actual proof of the long life and low maintenance cost of roads constructed with Stanolind Paving Asphalt.

Although both roads which Mr. Rodgers mentions, are subjected to heavy, continuous traffic, they still are in as good condition as the first year they were laid, as is evidenced by the photographs.

To you, one of the most important factors about a Stanolind Asphalt road is the low maintenance cost. If breaks do occur, they are easily repaired by the ordinary working force. The new material adheres readily to the old, leaving no cracks or breaks which water or frost can enter. It is not necessary to tear up the pavement, nor to stop traffic on the road. Therefore, the breaks can be repaired as they appear.

Your experience with Stanolind Paving Asphalt will be identical with that of the other users, all of whom agree that the low initial cost of laying, the low maintenance cost and long life, make it the ideal road building material.

If you have not received your copy of our booklet telling the latest methods of constructing and maintaining asphalt pavements, we suggest that you write us at once. It will be a valuable addition to your business library. Use your official stationery, please.

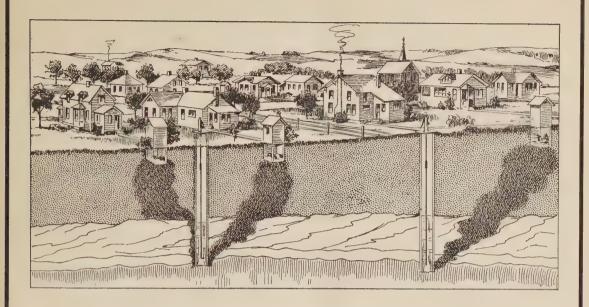
STANDARD OIL COMPANY

910 S. Michigan Avenue

CHICAGO, ILLINOIS

When writing advertisers please mention American Municipalities

Is This a Picture of Your Town?



Privy Vaults and Cesspools Leaking Into Your Wells.

Three-fourths of all town wells examined last year by our State Board of Health show this condition, endangering the health and physical condition of the citizens of our smaller towns. Proven conclusively by the examination statistics of the recent draft boards. These conditions causing typhoid fever, dysentery, hookworm and tuberculosis, have been eliminated in our cities by building sewer systems, which may now be built at small cost.

We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the *State Board of Health* and must be built eventually by every town.

Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

GUY E. SMITH, Secretary INDIANOLA, IOWA

"OUR SERVICE IS WITHOUT CHARGE"

Classified Advertisements

Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

FOR SALE—One hundred eighty lineal feet of five inch wrought iron well casing which was taken out of the old well, but in good condition. For sale at twenty-five cents per lineal foot, F. O. B. Ryan. J. E. Cody, Clerk, Ryan, Iowa.

FOR SALE—One two story building located in Fairfield Iowa, built in 1920 out of hollow tile, rents for \$100.00 per month with a five year lease dated April 1st 1922, priced to sell, we need the money. L. F. Frye, Treasurer, West Point, Iowa.

WANTED—A second hand horse drawn street flusher. W. E. Gilchrist, City Clerk, Vinton, Ia. 423

WANTED—Second hand street sprinkler. Please give full particulars and price in first letter. Address B. R. Grawburg, Clerk, Pierson, Iowa. 423

WANTED—position as manager for a small electric light plant, by a man with six years experience. If you need such a man write me. Frank G. Pierce, Marshalltown, Iowa.

WANTED—Position as manager of a town lighting system. A. V. Landgren, 2437 South 24th Street, Omaha, Nebr. 323

WANTED—An Iron or Copper Chemical Tank of 40 gallon capacity. One of the turn over type, and unmounted. J. Theran Murray, Clerk, Schaller, Iowa.

WANTED—If you have any apparatus or equipment that you do not need advertise it for sale in this classified department and give some other city or town a bargain.

FOR SALE—Second hand air pressure tank, 24 ft. long, 5 ft. diameter, 5-16 inch iron, 3% inch head, manhole 12x18. Previously used for air pressure only. In good condition. Can be used for any purpose. Write for price. Town of Mediapolis, Iowa, J. E. Berry, Clerk.

FOR SALE—One 75 h. p. Murray Corless Engine purchased new by us in 1910, One 125 h. p. Murray Corliss Engine purchased new by us in 1915. Neither of them have been used since Dec, 1920. Reason for selling, put in high line service. Address Town Clerk, Earlham, Iowa.

FOR SALE—Cheap. Rock Island Pump 6x8, has a pumping capacity of 115 gallons per minute; has been in use but a few years only. Can be used to good ad vantage for liget pumping, etc. Address A. C. Harre, Town Clerk, Dumont, Iowa.

FOR SALE—Cheap. Myers Bulldoser Pump Jack, working head from 14 to 20 inch stroke; 2-40 inch Belt Pulleys 6 inch face; good as new. If interested, write to Geo. Harder, Clerk, Keystone, lowa. 93

WANTED—To communicate with city or town who has or intends to install new cells—and will have the old ones for sale, state all in first letter. C. F. Fitzgerald Town Clerk, Alvord, Iowa,

WANTED—One Ton or Ton & one half Truck, that can be remodeled into Chemical Fire Apparatus. When answering, please state Model, how long been used, & price of same. W. T. Thorp, Baxter, Iowa. 83

WANTED—Fire Bell or alarm—preferably second hand. Book Safe—Fire-proof not less than 18" deep and 48" high—inside measurement,—Preferably second hand. Watchmans time Clock—with at least four keys. E. S. Genung, Clerk, McCallsburg Ia.

FOR SALE—One Fairbanks-Morse 12 horse power engine. Reason for selling, have installed electric motor. Will sell cheap. Edw. Miller, Clerk, Donnellson, Iowa.

FOR SALE—Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, lowa.

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, Iowa.

FOR SALE—Two Murray Cutting Shaker Grates (36 square feet) both in excellent conition, Price \$50, EaF. O. B. Cars. Address City Clerk, Independence, Iowa.

FOR SALE—By the city of Ottumwa, Iowa, one 20-40 HP J. I. Case Gas Tractor, one 8' Aurora Reversible Grader Engine Hitch, one, Russell's Scarifier, fair condition, one Aurora Rock Crusher, No. 1 size. Price on application. Address M. A. Sheehan, city clerk, Ottumwa, Iowa.

FOR SALE—One two ton elevator 2½ horsepower motor. Can be used in any three story building. L. F. Frye, Treasurer West Foint, Iowa, 222

FOR SALE—One 50 horse power motor Wagner make, two phase variable speed, 600 R. H. M. and one 20 horse power of same make and type, prices \$450, and \$300, both motors in first class condition. If interested write at once to city clerk, Independence Iowa.

222

THE INSIDE STORY IOWA POSTER ADVERTISING

Iowa's prosperity depends upon the marketing of its agricultural and manufactured products, and goods on the shelf.

Marketing depends on advertising as a necessary selling force, because advertising is the liaison between supply and demand.

Poster Advertising placed on Poster Panels is one of the great recognized and necessary advertising means.

Iowa corn, for example, converted into breakfast foods is advertised in other states. Thus Poster Panels, admittedly a mover of goods, sells Iowa corn and provides an outlet for an Iowa product.

You must move goods to make prosperity. Poster Panels are an important means of moving goods throughout America.

Poster Advertising is artistic, colorful, attractive, impelling. It is intensive, insistent. Posters reach every class, and those who see as well as those who read. The circulation of Posters is the population. Posters may be localized to reach one district of a city, specified districts of hundreds of cities, or in a broad sweep of 11,000 cities and towns.

National advertisers use Posters.

Local merchants of Iowa cities and towns use Posters.

Poster Panel advertising benefits are local as well as national.

Iowa cities and towns grow with Poster Advertising.

Iowa Poster Advertising Association

J. B. Stewart, Pres. Clinton

A. J. Busby, Vice-Pres. Fred E. Trainer, Secy. Elbert Payton, Treas. Waterloo

Ackley

Centerville

The Story of Poster Panels—Not Billboards—There is a Difference.

SPECIALIZATION

is the most important essential to right results in any line.

A. D. Cook, Inc. have specialized on Deep Well Pumps and manufacture everything that goes into the tube well except the pipe.

Distinctive features are possessed by this pump not found in other crank pumps on the market.

Write us for information on the

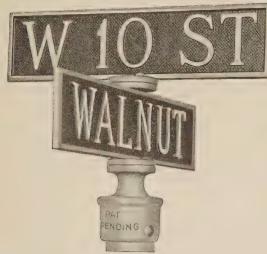
COOK

There is a City or Town near you using the Cook Deep Well Pump.



Hawkeye Supply Company

Mason City, Iowa



ALUMINITE STREET MARKERS

They point the way—they tell at a glance. Substantial, ornamental, artistic. Each panel is one solid piece of cast aluminum. Street names are cast in the panel—it's all one piece. Will not tarnish, can not rust. Panels can be set and securely fastened at any angle to conform with direction of the crossing streets. The best and only permanent street marker yet designed. Full information free upon request. Write today.

Standard Manufacturing Company Cedar Falls, Iowa Tel. 563 J

707 Hodge Ave.

NICHOLS & AGG CONSULTING ENGINEERS AMES. IOWA

Organized to handle any engineering project

NATHAN B. BARBER

CIVIL AND MUNICIPAL ENGINEER

Sewers, Waterworks, Paving

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Municipal Engineering and Improvement Projects

302 E. Rusholme Street

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Mem. Western Soc. of Eng.

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Consulting Specialist in Paving Practices. General Municipal Engineering

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CRESTON, IOWA

M. TSCHIRGI & SONS

CONSULTING ENGINEERS

SEWERS, WATER WORKS, PAVING

712-13

American Trust Bldg.

Cedar Rapids, Iowa

CHARLES P. CHASE

CONSULTING ENGINEER

30 Years Experience in Public Improvements

SPECIALTIES: Waterworks, Sewers, Paving, City Planning Plans, Estimates, Reports and Supervision of Construc-tion, Council Proceedings, Business, Legal and Financing Forms

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CLINTON, IOWA

HENNINGSON ENGINEERING CO.

SKILLED MUNICIPAL IMPROVEMENT **ENGINEERS**

Sewerage, Waterworks, Electtric Light Plants, Paving, Public Buildings, Plans, Specifications, Appraisals, Reports, etc.

12th and Harney streets

Paving

Sewers Sewage Disposal OMAHA, NEBRASKA

HOWARD R. GREEN Assoc. M. Am. Soc. C. E.

CIVIL ENGINEER

634-5 Cedar Rapids Savings Bank Bldg. Water Supply Subdivision Development

CEDAR RAPIDS, IA.

Investigations and Reports, Plans and Specifications
Supervision of Construction

MUNICIPAL ENGINEERING

CURRIE ENGINEERING CO.

SEWERS.

WATER SUPPLY

PAVING SEWAGE DISPOSAL

TOWN PLANNING WEBSTER CITY, IOWA

BROWN & COOK

ENGINEERS

OTTUMWA, IOWA

Twenty years experience qualifies us as experts on Water Works, Power Plants, Pavements, Sewers and Drainage Work. Careful Engineering saves many expensive errors

FRANK A. DRASDA

MUNICIPAL ENGINEER

Water Supply, Sewers, Sewage Disposal, Pavements

Wilson Building

CLINTON, IOWA

JENT G. THORNE

AND ASSOCIATED ENGINEERS CONSULTING ENGINEERS

MUNICIPAL SERVICE INCLUDING

PAVEMENTS SEWERS AND WATERWORKS

317 Howes Block

CLINTON, IOWA

MERTON G. HALL FRED J. STEWART Member Western Soc. Engrs,
Member Iowa Engrs. Soc,
Member New Eng. W. W. Assn
Member New Eng. W. W. Assn
Member Am. Waterworks Assn.

The MERTON G. HALL CO.

CIVIL AND SANITARY ENGINEERS

Waterworks, Water Purification, Sewer Systems and Sewage Disposal Works, Street Paving. Engineering Reports, Valuations, Public Utility Rates, Surveys.

CENTERVILLE, IOWA

BURNS & McDONNELL ENGINEERING COMPANY

CIVIL, HYDRAULIC AND SANITARY ENGINEERS SPECALTIES—Waterworks, Sewage Disposal, Electric Lighting Appraisals and Water Power

INTERSTATE BLDG. MARSH-STRONG BLDG. KANSAS CITY, MO.

LOS ANGELES, CAL.

BLACK & VEATCH

CONSULTING ENGINEERS

Water Supply, Water Purification, Sewerage, Sewage Disposal, Power Plants, Valuations, Special Purifications and Reports E. B. BLACK N. T. VEATCH, Jr.

A. P. Learned, F. M. Veatch, E. H. Dunmire J. F. Brown

KANSAS CITY, MO.

Mutual Bldg.

C. T. Hough, C. E. C. R. RALPH, C. E. C. A. SHOCKLEY Assoc. M. Am. Soc. C. E. Mem. A. A. E.

SHOCKLEY ENGINEERING CO.

CONSULTING ENGINEERS

Graphic Arts Bldg.

KANSAS CITY, MO.

ENGINEERING SERVICE

Sewers Pavements Waterworks

Sewage Disposal W. E. BUELL & CO.

Plans Estimates Construction Supervision

Engineering Service Determines the Cost of Your Work SIOUX CITY, IOWA Davidson Building



This Steel Tower at Riceville, Iowa formerly supported a wooden tank

Wood Tanks

ON

Steel Towers

May be replaced with our modern hemispherical bottom steel tank as shown in the accompanying illustration

Contracts for summer erection should be made now

WRITE FOR PRICES

Pittsburgh-Des Moines Steel Co.

formerly

Des Moines Bridge & Iron Company

947 Tuttle Street, Des Moines, Iowa



Waterworks Systems, Steel Water Towers
Stand Pipes and Waterworks Materials

WRITE FOR OUR GENERAL WATERWORKS BOOKLET NO. 5

FIFTEEN IOWA CITIES



Boone
Chariton
Des Moines
Dubuque
Elkader
Fairfield
Holstein
Le Mars
Red Oak
Bettendorf
Hull
Wapello
Marshalltown
Davenport
Muscatine

Jackson Street, Dubuque Iowa, Built 1922 Evan, Ulrich Staner Co., Contractors-W. Cullen, City Engineer

Will Build VIBROLITHIC

This Year

Fifteen Iowa cities have already contracted for over six hundred thousand square yards of Vibrolithic for 1923 construction.

This record yardage has been made possible by the existing Vibrolithic pavements over the state.

You can't go wrong on Vibrolithic. It is mechanically constructed under the careful supervision of skilled Vibrolithic operators.

If you reside near any of the above cities make it a point to see Vibrolithic under construction and be convinced.

Granite Top Surfacing Company

310 Securities Building

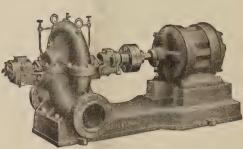
Des Moines, Iowa

UNION PUMPS

SIMPLEX—DUPLEX—TRIPLEX

CONDENSERS—CENTRIFUGALS—COMPRESSORS
Steam or Electric

THEY DO THE BUSINESS



THEY DO
THE
BUSINESS

Something for Every Pumping Service

SALES

Leighton Supply 6.

PLUMBING, HEATING & MILL SUPPLIES

FORT DODGE, IOWA

SERVICE



A Street at Garden Grove, Iowa Made Mudless and Dustless with our

SPECIAL ROAD OILS

Over 60 Iowa Cities and Towns use our Road Oils exclusively

We also operate a number of our own equipments, applying these materials for those customers who desire to contract for having the material properly applied

Prices are now cheaper than they have been for years. The entire cost is only a few cents per square yard, which can be assessed to abutting property if so desired

Have our representatives stop and explain our special materials and methods at no obligations to you.

IOWA ROAD BUILDING COMPANY GOOD BLOCK, DES MOINES, IOWA

AMERICAN MUNICIPALITIES

Accounting, Paving, Street Cleaning, Sewers and Sewage, Municipal Law, Fire and Police Protection, Public Utilities, Water, Electricity, Gas, Telephones, Taxation, Sanitation, Recreation, Health

GEO. M. BECHTEL & CO.

BANKERS

Bechtel Building
DAVENPORT, IOWA

Chicago

New York

We buy all kinds of

Iowa School County Drainage Bonds

Legal Proceedings and Advice

The White-Phillips Co,
INVESTMENT
BANKERS
PUTNAM BUILDING

DAVENPORT, IOWA

Specialists in the Purchase of

Iowa SCHOOL COUNTY CITY DRAINAGE

Bonds

The Service of our Banking House is at your command.

Correspondence is invited

Vol. 46. No. 2

November, 1923

Published Monthly

Quality IS Economy

The exceptionally low maintenance cost of

Crown

Empire

Nash

Gem

Premier

Water Meters

Proves there is no substitute for

HIGHEST QUALITY

PREFERRED

THROUGHOUT

THE WORLD

NATIONAL METER GO.

Established 1870 John C. Kelley, President

1455 W. Congress St.

CHICAGO

NEW YORK 299 Broadway BOSTON 287 Atlantic Ave. LOS ANGELES 251 Central Ave.

SAN FRANCISCO 141 New Montgomery St. ATLANTA Ivy & Baker Sts. CINCINNATI 530 Reading Road

Nothing Like It

"Two million three hundred thousand Trident Meters made and sold". "One million in eight years" "162 thousand last year"

They may cost you a trifle more than others But in the judgment of the majority of Purchasers, As evidenced by their unprecedented sale, They are worth the difference and "then some"



Neptune Meter Company

New York

Chicago Office, 565 W. Washington Boulevard

WRITE FOR CATALOG

Warrenite Bitulithic

IS A

Superior Pavement

BECAUSE

it is composed of the highest quality of materials so combined as to give maximum stability and wear in a resilient waterproof surface.

Warren Brothers Company through its extensive laboratory and field inspection and research organization has spent more than twenty years in perfecting the selection of the proper materials and the most efficient methods of using them.

Every square yard of pavement constructed is laid under the supervision and with the advice and collaboration of Warren Brothers Company, whose interest in securing the best results is greater than that of any contractor, official or property owner.

More than 80,000,000 square yards have been laid in over 500 cities and municipalities throughout the world, many cities using no other type of pavement, and a large majority awarding repeat contracts for Warrenite Bitulithic year after year.

Send for literature and specifications.

Warren Brothers Company

848 Otis Building

CHICAGO, ILL.

When

ln

A

Hurry



ORDER

Cast Iron Pipe & Fittings

(All Sizes)

From our Stock at

Kansas City, Missouri

Any Quantity, One Piece or a Car Load, Shipped immediately. Telephone, Wire or Write

American Cast Iron Pipe Co.

716 Scarritt Building

Telephone Main 532

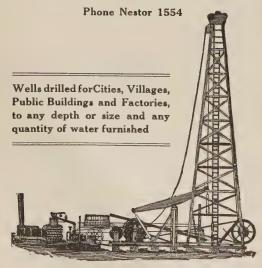
KANSAS CITY, MO.

McGarthy Well Company

Artesian Well Contractors

670 Eustis St.

St. Paul, Minn.





WATER METERS

Every Class of Service

for

also

Meters for Gas, Oil, Air Gasoline, Oxygen, Hydrogen, Acetylene and other fluids.

and
Gas and Water Meter
PROVERS

Pittsburgh Meter Co.
East Pittsburgh, Pa.

New York, 50 Church street Columbia, 1433 Main street Chicago, 5 So. Wabash Ave., Seattle, 4038 Arcade Bdlg. Kansas City, Mutual Bldg. Los Angeles, Union Bank Bldg.





What Will Your Water Meters Be Doing After Years of Service?

There are
Badger Disc Meters
Badger Turbine Meters
Badger Compound Meters
Badger Compounding Valves

Will they be worn and let water leak through without measuring it?

The users of Badger Water Meters avoid that trouble. Badger meters are designed to avoid friction and wear as much as possible. They are made of materials that will stand what wear there must be.

Write us for the Badger Meter specifications.

Badger Meter Manufacturing Co.

414 Interstate Bldg. KANSAS CITY, MO.

111 W. Washington St. CHICAGO, ILL

FIRE HOSE

Hawkeye Standard, Double Jacket

For Fire Departments of cities. Guaranteed for three years against defects in material and workmanship. Reliable and economical.

Hawkeye Standard, Single Jacket

For Fire Departments of small cities and towns. Guaranteed for three years against defects in material and workmanship. The best hose for volunteer fire departments.

Write for Samples and Prices

Municipal Supply Company

FRANK G. PIERCE, Manager Marshalltown, Iowa

"IO WA"



Fire Hydrants
Gate Valves

AND

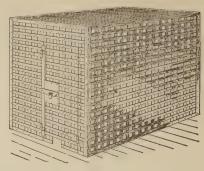
Boxes
Tapping Valves
and Sleeves

Your Inquiries Respectfully Solicited

Iowa Valve Co.

Oskaloosa, Iowa

STEEL CELLS



Many small towns do not have a jail, but often need such a place.

A single steel cell, placed in your town hall, fire station or other place will be all you need.

A steel cell like the above will accomodate two prisoners. It will answer all your needs

Write for catalogue and prices. Also Complete Jail Equipment

Municipal Supply Co.

Marshalltown, Iowa

How About Your Ordinances

ARE your ordinances in such shape that you can tell anything about them?

In many cities and towns the ordinances have not been revised for years and many of them conflict with the state law.

If your ordinances are not in good shape, better have them revised.

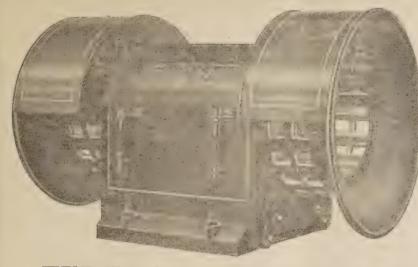
Write me for terms.

FRANK G. PIERCE Marshalltown, Iowa

RINGHEIM, WHEELOCK & CO. MUNICIPAL BONDS DES MOINES, IOWA

We Buy Iowa School, County, City and Drainage Bonds

- ¶ You can avoid costly mistakes and delays by using our service.
- We furnish accurate legal proceedings which insures you against technical errors and defects in bringing out your bond issues.
- ¶ Correspondence invited.



The Fire
Department
Is'nt
Always
To Blame!

FEDERAL ELECTRIC SIREN



Approved by the Underwriters' Laboratory of the National Board of Fire Underwriters.

> Approval dated October 11, 1918

WHEN, in the still of the night, a spurt of flame suddenly shoots forth, lapping up the shingles on a neighbor's home, the fire department isn't always to blame, if it develops into a disastrous fire.

Give the boys a reasonable chance to make good—they must get to the fire in time to check it.

The call of the Federal Electric Siren ranging from a rumbling growl to a piercing shriek, reaches for miles around. Whether the men are asleep or awake, it snaps them into action—immediately. They know it means fire—it gets them to the fire house in a jiffy.

The Federal Electric Siren saves seconds when seconds count. A push of the button from the central fire box, or any other convenient location sounds the siren instantly. Always ready for use. Economical. Requires only an occasional oiling.

Averages only \$2.00 a year for actual current consumed. It pays for itself many times over in the saving of lives and property. Don't delay—a serious fire might sweep your city any time.

Learn how other progressive fire departments are saving thousands of dollars annually.

Mail coupon NOW. We ship on 30 days' trial.

Why He Called It "Portland" Cement

In 1824, an English mason wanted to produce a better cement than any then in use. To do this he burned finely ground clay and limestone together at a high heat. The hard balls [called clinker] that resulted were ground to a fine powder. When a mixture of this dull gray powder with water had hardened, it was the color of a popular building stone quarried on the Isle of Portlandoff the coast of England. So this mason, Joseph Aspdin, called his discovery "portland" cement.

That was less than one hundred years ago.

Portland cement was not made in the United States until fifty years ago. The average annual production for the ten years following was only 36,000 sacks. Last year the country used over 470,000,000 sacks of portland cement. Capacity to manufacture was nearly 600,000,000 sacks.

Cement cannot be made everywhere because raw materials of the necessary chemical composition are not found in sufficient quantities in every part of the country. But it is now manufactured in 27 states by 120 plants. There is at least one of these plants within shipping distance of any community in this country.

To provide a cement supply that would always be ample to meet demand has meant a good deal in costly experience to those who have invested in the cement industry. There have been large capital investments with low returns.

In the last twenty-five years, 328 cement plants have been built or have gone through some stage of construction or financing. 162 were completed and placed in operation.

Only 120 of these plants have survived the financial, operating and marketing risks of that period. Their capacity is nearly 30 per cent greater than the record year's demand.

These are a few important facts about an industry that is still young. Advertisements to follow will give you more of these facts, and will tell something of the important place cement occupies in the welfare of every individual.

PORTLAND CEMENT ASSOCIATION

Hubbell Building DES MOINES, IA.

A National Organization to Improve and Extend the Uses of Concrete Offices in 27 Other Cities

American Municipalities

November, 1923

Vol. 46. No. 2

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, • • • \$1.00 per year Advertising rates made known on application

"For forms of government let fools contest,
What'er is best administered is best."
Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

Every municipal official in Iowa should read the report of Chairman Hunt of the legislative committee on code revision.

It will be seen from this report that the code commission bills make many changes in the law relating to cities and towns.

In order that the legislature shall not make mistakes in the laws they pass relating to cities and towns it is vital that all bills of this kind be closely watched.

While the legislative committee of the League will do its utmost to protect the municipalities, every municipal official in the state should also take an active interest in these bills

Every large city should arrange to have one of its officers carefully check up every bill dealing with cities and towns.

If this is not done it will be found after the legislature adjourns that some bills have been passed that adversely affect the cities and it will be too late to find fault

The legislature meets the early part of December and this matter of code revision will be the most important one with which the officials must deal until the legislature adjourns.

Take this up at your first meeting and arrange to protect your own interests.

The address by Mayor Short published in this issue gives a clear statement of what is usually considered a business administration.

Most municipalities are satisfied with about one business administration in every ten years and when that administration is over the people find out that they are formally tied up to the corporations.

The address on municipal ownership by Hon. Commissioner Spaulding, of Springfield, presents the argument for municipal ownership and against private ownership in a clear convincing manner.

Municipal ownership is the one way in which you can keep the utilities out of politics.

TEMPORARY INJUNCTION AGAINST OPERATION OF DANCE HALL SUSTAINED

A property owner brought suit to enjoin the operation of a dance hall which was just across the street, 90 feet distant from plaintiff's house, and the view of which from the front gallery of the house was unobstructed. The music began at 8 every evening, and lasted until 11:30. Usually from 100 to 250 people patronized the hall each evening. The music and clapping of hands of the dancers was plainly audible at plaintiff's house so that he was unable to sleep, even with the doors shut, until the dancing had stopped for the evening. Such annoyance and lack of sleep caused plaintiff to suffer loss of appetite and weight. There was congestion of the street in front of plaintiff's house at times, on a few occasions intoxicated persons had been seen in the vicinity of the hall, and some of plaintiff's tenants had threatened to leave because of the annoyance caused by it. A temporary injunction against its operation was sustained in the case of Parker against Trueheart, decided in the Texas Court of Civil appeals and reported in 246 Southwestern Reporter at page 428. Justice Cobb said:

"It is clear that the dance hall tends to do injury to appellee's property and person, and the proof was sufficient to justify the issuance of the temporary writ. The record sufficiently shows that an irreparable injury will probably be suffered by him before a final hearing, and that the facts will in all probability be established as alleged. That the preliminary injunction will not cause any greater injury to appellant (defendant) than to operate the nuisance will cause to appellee (plaintiff). We are of opinion that the trial court did not abuse his descretion in granting the writ.

MUNICIPAL BORROWING REDUCED

Borrowing on the part of States, counties and cities through the issuance of bonds has fallen off sharply since July 1st. Compared with total loans floated in April, May and June of \$88,000,000, \$101,000,000 and \$170,000,000, respectively, loans in July, August and September were only \$66,000,000, \$58,000,000 and \$51,000,000 respectively, according to The Daily Bond Buyer of New York.

The reduced volume of financing in July and

August was due as much to the normal seasonal inactivity as to unsatisfactory bond market conditions, but in September the total borrowing would have been much larger had there not been a further slump in bond market values which made it impossible for many municipalities to sell bonds at the legal minimum price.

The municipal bond market has suffered until recently from the effects of the issuance at relatively high prices of about \$600,000,000 bonds in the first half of the year, some part of which remained unsold in the hands of dealers for months.

The following table shows sales of State and municipal bonds in September and the nine months ending September 30 for ten years:

	Nine months
	ending
September	September 30
1923 \$ 51,937,307	\$ 789, 847,481
1922 119,208,708	1,057,577,108
1921 100,797,646	823,009,041
1920 70,712,506	564,902,596
1919 72,787,676	517,491,709
1918 19,790,397	206,981,540
1917 34,283,642	366,893,851
1916 19,399,642	376,341,515
1915 28,768,418	395,364,676
1914 12,430,549	370,662,659

ASPHALT SIMPLIFICATIONS EFFECTIVE JANUARY FIRST

After January 1st, 1924, "Too many asphalt grades" no longer will be the complaint of public highway officials, engineers, contractors, and producers, the Department of Commerce having announced that upon that date, the recommendations adopted at its recent asphalt paving conference, will become effective and asphalt grades for use in the construction of sheet asphalt, asphaltic concrete, asphalt macadam, and surface-treated pavements will be reduced from eighty-eight to nine. The number of asphalt grades used as joint filler in the construction of brick and block pavements and various other types has likewise been reduced from fourteen to four.

We want all the new officials to know that the services of the information bureau is free to every official and if you desire information on any municipal question it will pay you to write the secretary

What Constitutes A Business Administration

Hon Wallace M. Short, Mayor of Sioux City

"The mayor shall be superintendent of the department of public affairs"—so reads the statute of the State of Iowa which authorizes the government of cities by the commission plan. "Superintendent of public affairs." That is a good phrase. Any public official is, to the extent of the authority delegated to him by the people, a superintendent of public affairs. My question is, "What are the outstanding characteristics of a truly business administration" of the affairs of the public?

In the spring of 1922 there appeared a candidate for the office of mayor of Youngstown, Ohio. who promised the people a business administration. He told the people what he would do if they would elect him to public office. The press of the country gave wide publicity to the man's proposed program. The big dailies wrote editorials of commendation, in some cases pointedly suggesting that the officials of their own town would do well to watch Youngstown, and learn.

Six months later Youngstown's mayor resigned in disgust. The public presses carried copies of his resignation, the substance of which was as follows:

"If you have any children keep them out of public life. Make them into men and women. They cannot become men and women if they enter public life. I'm tired of being bossed by a bunch of politicians. My head is full of public troubles. I am resigning because it is impossible for an honest man to do any thing in the mayor's. office If I enforce the laws, I make enemies. If I do not enforce the laws, I also make enemies. I cannot enforce the laws on account of the lawyers. Talk about a thankless job!"

One of the daily papers that carried this resignation as part of an editorial, assures us that the resigning mayor was indeed a good business man, as is evidenced by his climb up the ladder of financial success.

Many of us, doubtless are able to understand something of the mayors feelings, while perhaps not agreeing with him that our institutions are so hopeless that all decent people ought to renounce official responsibility. In fact the mayor's blunt resignation might be classed as hopelessly and incurably un-American. Granting that public office presents serious problems, let us see if there is not, first of all, something radically wrong with the Youngstown mayor, and and with the current conception of a business administration.''

In the New York "Outlook" for December 20, 1922, there appears an interview with Mr. James Couzens of Detroit, just as he was leaving the mayor's office to enter upon the duties of United States Senator. You will recall that Senator Couzens had been, up to 1915, a partner of Henry Ford. He had been trained solely to the habits of big business. Nobody had ever questioned or challenged his acts until one day Mr. Ford countermanded an order that had been given by Mr. Couzens. Mr. Couzens tells "A quarrel resulted that lasted no more than thirty seconds, and that is the only time I ever had the slightest misunderstanding with Henry Ford. I resigned instantly."

The reporter asked Mr. Couzens, "What is it that prevents business men, as a rule, from seeking and accepting political office?"

The Senator replied at once, "Very few of them are fitted for it at all, and there is one fundamental reason which is very clear. Men like this have become accustomed to dealing with things as things. Machines mean just so much, no more, no less. Inevitably and automatically they reduce the value of men to one common denominator. They give orders, and the orders are obeyed. That is all there is to it."

Mr. Couzens continues, "In politics you reverse the process. You take orders, and you take orders from people, and it is pretty hard for a man who has all his life given orders and who has been taught by everyone with whom he came in contact that his orders are just, and that even if unjust they have to be executed without

delay or criticism: it is pretty hard for that type of man to begin all over again. He has to, or he can't succeed in politics."

After quitting Henry Ford, Mr. Couzens entered the school of public life by accepting an appointment to the Police Commission of Detroit. At first he resented the experiences of public office, just as the "business mayor" of Youngstown did. He tells us "for three years I fought thugs, prostitutes and the press. At least I began by fighting the press. I kept that up until I learned the thing to do was to ignore it."

At the end of three years Mr. Couzens became mayor of Detroit. He had learned by this time that it was his business to listen and learn—to listen to the people. He said to himself, "I am mayor of all the people, so I am going to try to find out what they really want, and I consider it my job to discover the most economical way to give it to them."

That is the key to a business administration of public affairs—to find out what the people really want, and help them to get it.

In nearly every political campaign we hear from some source the demand for a "business administration." This demand is right, provided we understand what really constitutes a business administration of public affairs.

Let us examine this demand, in the purpose to discover what it ordinarily means. We will grant, I think, that it usually comes from the agents and proponets of what is known as "big business." We will grant further, I believe, that we are all prone to think an administration is good if it listens to us, and does what we want done, and gets for us what we want. It is just as the mayor of Youngstown discovered-some people did not want certain laws enforced, and if he enforced these laws those people were going to make him trouble if they could; while other people did want certain laws enforced. and if he did no make the sun stand still until he got these laws enforced, those people were going to make him trouble if possible. So this business man threw up his hands, and declared that all decent people should keep out of public life and teach their children that there is no place for an honest man in political office. In other words: the only man who should seek public office is the rascal.

Now the demand for a "business adminis-

tration' comes usually from the direction of big business. Big business is organized, organized to the hilt, organized in a thousand ways. It has its army of attorneys, clerks, traveling salesmen, political henchmen, walking delegates, press agents. The desirable jobs and the attractive financial rewards for the lawyer, the advertiser, the newspaper man, the clerk, the preacher, are the gifts of big business. And the way to gain these attractive positions is to take orders from big business, and do as you are told, and refrain from talking back. For, as Senator Couzens says, the big business man expects his orders to be executed promptly whether right or wrong. But the big business man as Senator Couzens truly insists, will not ordinarily accept public office himself. How, then, does he get his will carried into practice in public affairs? I scarcely need to remind a body of experienced men, such as the officials of Iowa cities, how he does it. He does it by electing to office men who are accustomed to taking orders from big business and who never talk back.

We have defined a true business administration of public affairs as one which finds out what the people really want, and helps them to get it.

We are now ready to define a "business administration," in the current use of the term, as one who listens to what big business wants, and helps big business to get it.

This condition comes about, because big business is organized, has the money to hire talent of every kind, and sees to it that the men who do its bidding are supported and rewarded. Big business has insisted on selecting the candidates for office. It cordially hates primaries for the selection of candidates. Let it select its own candidates from among the men and women who have been trained to take orders from big business, and it cares not which ticket the people vote. Big business proposes to prevent the people from getting together to select their own leaders. If the people do select an able leader, big business undertakes to discredit or destroy him.

Recently I had an amusing conversation with a lifelong legal agent of corporate interests. He told me in all soberness, that the "intellectuals" are the besetting danger of our country. He readily admitted that these men who are so dan-

erous to our institutions are men of brains. He insisted that for that very reason they are dangerous, because if the people find men of intellectual ability to lead them, there is no telling what the people will do.

Of course he would not confess that big business is devoid of intellect. What does he mean? What is an 'intellectual' in this man's conception? Merely a man of brains who will not sell out to corporate interests.

We have now defined a business administration that tries to find out what the people really want, and undertakes to help them to get it.

We have further discovered that "the intellectual" whom my corporation attorney friend so much fears, is a man of brains who will not sell himself to corporate interests.

That looks easy. But you know very well that it is not easy. You know that the man who sets himself to find out what the people really want, and to help them to get it, has undertaken a supremely arduous task. If a man is looking for something big to do, this job will surely fill the bill. Yet the security of our institutions and the happiness of our people depend upon the doing of this job. At least, the job must be undertaken, and must be accomplished with some fair degree of success.

For illustration, the voters of the first ward appear this morning before the city council to plead for a storm sewer. They need it. But it will take all the money in the main sewer fund for three years to build it.

Last week the taxpayers of the fifth ward came up in force to demand that the mountainous highways in their part of town be brought to grade. The situation out there is truly bad. But the entire grading fund for the year is not sufficient to do the work. And there are twenty other places in the city that are just as badly in need of grading.

Every week in the year will bring similar demands. These people all feel that they should have what they want. Each one of these groups represent a small minority of the people of the whole city. Each group knows what it wants The official must choose his course.

He may throw up his hands in disgust and exclaim, with the mayor of Youngstown, "my head is full of public troubles."

Or he may—and this is the right course—

he may bring these different groups face to face, and let them know the problems of the city in some comprehensive way. They are reasonable beings, and they do not really want all these things right now, when they see their wants in the setting of the sum total of all the wants of all the people of the entire city. This task of bringing all these groups face to face with one another and the entire city, is a task of public education. It is a large task. But a real business administration must add this to all its other duties.

There is one other alternative. The public official may submit to be bossed by the politicians. And politics, in the common practice of it, is so dirty that if the people really know how the game is played there would be an explosion of wrath that would be appalling.

Finding out what the people really want and helping them to get it, is the central task of any administration of public affairs where government is to be government by the people.. It is not easy. Take the question of taxation. people as a whole are in rebellion against high taxes. Yet the people will come up in groups, insisting that taxes at some particular point be increased. One group wants an increased levy for library purposes, another for playgrounds, another for public health, and so on through nearly the whole list of items that enter into the total of taxation. And if the official yields to each of these groups, then they will all combine to condemn him for an increase of taxes. If each of these groups can be brought face to face with all the others, none of them perhaps want the thing which they insist on. The public official has the difficult task of helping all these people to find out what they really do want. Then when they come to pay their taxes they will know what they are paying for and why.

Again the public official is frequently the storm center of the strife of competing business interests. A recent case came under my notice, where certain interests desired to put over something with the administration. They hired certain agents and attorneys, and these agents and attorneys in turn hired certain persons to circulate petitions at so much per name among the laboring people. I have on my desk a speech written by these business interests, which they presented to one of the supposed labor leaders

with the offer of \$50.00 if he would come before the city council and deliver it as his own speech in behalf of labor. This was an effort of one business group to use labor, with a supposed labor administration, to beat another business group. The result of such methods, incidently, is the utter corruption of the labor electorate and the destruction of its influence.

The public official must know what lies back of each proposition, and then take it for what it is worth.

Take one more illustration. The public press carried last winter a photographic copy of the bill of sale of a car load of potatoes. The purpose in publishing this bill of sale was to show that the farmer who grew the potatoes, after counting interest on his investment, taxes on his land, his labor, \$40.00 for the sacks and other incidentals, received as his gross return for the entire car the sum of \$1.30.

Then the public press proceeded to discuss this \$1.30. Finally the special interests got into the game and tried to show that the farmer was to blame, and that anyhow this particular car of potatoes was an exceptional case.

The entire discussion utterly missed the mark, and the final conclusion of the special interests was absolutely false. The point of the whole matter was—that everyone who touched that car load of potatoes, except the farmer who grew them, got his full asking price for his service. The railroad company got its freight, the inspector his fee, the warehouse its rent, and the wholesaler and retailer their profits. That car was simply an illustration of a general truth that the farmer being unorganized, takes what is left after all the rest, being organized, take what they choose.

Now the farmers want to have something done about it. Each county in the state has some man in it with a program for remedying conditions. This man with a program is a man who has been doing some reading and thinking, But in the main no two of these programs are alike.

It is somebody's business to take all these proposed remedies into consideration, and use his brains, and find out what the farmers really want, and help them to get it. My corporation attorney friend will dub the man who does this an "intellectual" because he was so foolish as

not to sell his ability to the organized special interests.

It is the job of the public official to find out what the people really want, and help them to get it—not to find out what some aggressive special interest wants, and hasten to do its bidding.

The business of government may conveniently be classified under three heads. First, the protection of the individual in his life, his liberty and his property. Second, the enforcement of these rules of the game of business which are designed to give each person a fair chance to possess and hold what he lawfully produces—to see to it that he is not robbed by powers that are beyond his individual and unaided control.

It is the square deal for every person who toils. Third, the providing of such public utilities as highways, water supply, sewers, parks, and others.

You will readily recall that the programs of this League of Iowa Municipalities are occupied almost wholly with the last item. Our discussions are taken up with paving, sewers, parks, water works, zoning, and other material equipment such as the people must provide in common, and the financing of these utilities. This is to be expected. These matters are important, and demand our best endeavor. Yet these matters do not even touch the big problems of our political society.

No revolutions have ever occurred for lack of proper zoning. Our fathers did not withdraw from the mother country because of defective paving. The farmers are not up in arms to-day on account of drainage projects. The militia is not called into our cities to quell disturbances over the sewer system.

All of our big problems arise under the first and second heads, life, liberty, property, the administration of the rules of the game of industry and business.

It is easy for legislators, executives, judges, to listen to the centralized and aggressive groups. The result is the encroachment of these minority groups upon the rights of the disorganized and scattered many.

The tasks which necessarily occupy the larger part of the time of the public official have to do with the construction and maintenance of public utilities, and the ordinary details of muni(Continued on page 66)

Home Rule and Municipal Ownership

Hon. Willis J. Spaulding, Springfield, Illinois

Iowa is one of the big, rich, progressive states of the union. Its many and diverse interests are represensed by various business or vocational organizations. The primary purpose of such organizations is to promote the individual success and prosperity of their members.

This organization represents one of the biggest enterprises of the state, namely the government of the cities of the state of Iowa. It does not represent a small group engaged in some particular vocation, but affects the well being of half the people in your state. When we remember that the resident of the average city is affected by local public services as compared with public services rendered by the rest of the government in the ratio of about six to one, we can begin to realize the importance to the people of each city, of a proper administration of their local affairs.

Acting harmoniously, you are capable of wielding a tremendous influence throughout the state. Not for the benefit of those in a particular line of business, but for all the people of the cities.

One of the fundamental things that every such organization should stand for is home rule for cities.

The cities of your state are creatures of delegated powers only, and can do only those things which the legislature has by law, said they can do. This is brought home to us as city officials time and again when, in our attempts to enact ordinances, or carry out measures which everyone may agree are beneficial and even necessary to the city's good, we are met by the statement from our legal departments that the thing cannot be done, because the legislature in its wisdom has not seen fit to confer upon cities the power to do it.

There are many functions discharged by the city which it performs as the agent of the state government, and with reference to these it is, of course, not only proper, but necessary, that the city act only to the extent that it has been author-

ized by the state But on the other hand, the are many matters which are of purely local concern to the individual cities, and the best thinkerse and ablest authorities on questions of municipal government are now agreed that with reference to these the city's powers should be general rather than enumerated. In other words, with reference to local affairs the city should have authority to do everything it deems necessary, except those things which the state expressly says it should not do. Under such a plan a city desiring to enact an ordinance or perform an act, instead of turning to statutes to ascertain whether or not power had been given, would turn to the constitution and statute to see if such right had been taken away, and if they were silent on the subject, the right would exist.

The plan under which our cities now operate starts out with the idea that the city is without any power whatever. It can do nothing until the legislature has spoken. The legislature finally determines that cities ought to be allowed to do certain things and grants them the power, and thereafter the cities may do those things, but those only. If more power is needed, the cities must again apply to the legislature for more laws granting more power, and so on, whenever they wish to exercise an additional right. This plan is that of enumerated powers.

The plan of general powers starts with the theory that a city is endowed with all powers in the management of its purely local affairs which the constitution, or statute, has not expressly taken away. If it wants to do a thing, the presumption (in local matters) is that it has the power, and the one who objects to its exercise of that power, must show that the constitution, or statute, has said that thing should not be done.

Imagine the law as it relates to persons, attempting to tell the citizens everything he can do, every act that he may perform under all circumstances. The law attempts no such thing. On the contrary, it attempts only to tell the citizen what he may not do, and leaves each citizen free

to do everything else.

The complexity of city life, with its resulting additional problems of city government, is increasing every day. Already more than one half of the people of the United States live in cities, under the control of city government. In Iowa, over 36 percent of the total population lives in cities.

Consider for a moment this proposition: that the legislature, a mixed body, assembled from all over the state, very few members of which have any adequate conception of the problems of the city, is presumed to be more competent to direct its affairs than its own local governing body. The legislature, which meets for a few months biennially, and passes hundreds of bills without the members even reading them or even having the bills read to them, is presumed to be more capable of directing the local affairs of cities than local officials who are in daily contact with the people and with the problems to be met.

At the last session of the Illinois legislature, there were presented 134 bills having relation to city government. Most of these bills were to take care of local matters which, from the stand point of state government, were perhaps trivial, and as compared with the great mass of more important questions of state wide concern, the members of the legislature felt justified and were justified in giving them scant attention. These matters, however, may be of large importance to the local community, and to them may mean the difference between stagnation and progress.

It often happens that demands for local legislation which may be clearly necessary and proper for a particular community, is nevertheless with held by the legislature because of the rule of uniformity which requires that the law apply alike to all cities of a certain class. Thus, needful legislation is denied to one, for fear that it might be abused by another. On the other hand, legislation may be demanded by a number of cities, yet denied by the legislature for fear that the circumstances surrounding one or two particular cities would make it inadvisable.

The result of this situation is that the legislature is loaded up with trivial matters which are not of state-wide interest, causing confusion and a vast waste of time; while the cities themselves are in a state of continual irritation because of inability to perform their natural and proper func-

It would appear obvious from experience that uniformity in the government of cities is both impracticable and illogical. The character and needs of the different cities are not the same and never will be. Progress in city government in Illinois has been made in spite of uniformity, and not because of it, by the evasion of the rule of uniformity both by the legislature and by the cities affected.

Giving each city the right to grow and develop in its own way, opens the door to progress. By permitting cities to frame their own charters, and to work out their own problems, some will naturally forge ahead of others. Mistakes will, no doubt, be made at times, but only those cities responsible for the mistakes will suffer by them, and they will have the opportunity to correct them and will correct them. On the other hand, those which succeed in finding a better method, will stand out as a beacon light to others, and thus the science of municipal government will improve step by step, just as improvement is acquired in the field of mechanics and the sciences.

Your cities are fortunate in having the constitutional right to own and operate, and to regulate local utilities. This right should be jealously guarded and extended. It should be extended to enables cities and towns to unite for the development of superpower stations at favorable locations and to distribute energy by high voltage transmission lines, as has been so successfully done in Ontario, Canada. There the Hydro-Electric Power Commission representing the Province of Ontario, serves 247 municipalities; owns property valued at 220 millions; sells energy at the lowest rates in the world, and yet is entirely supported from its earnings.

This gigantic enterprise covers an area and supplies a population of more than one-half the size of the State of Iowa. The system of management is simple. It leaves every city and town in local control. Each city or town owns its distribution system. It buys its energy from the Ontario Power Commission at cost and resells to the citizens at a rate which includes the cost of local distribution. It is interesting to note what is included as cost. It covers first, operation and maintenance; second, interest on bonds; third, sinking fund to retire principal in 30 years;

fourth, depreciation reserve sufficient to replace the plant in 30 years; so that when the bonds are once paid off, no more bonds need ever be issued.

Contrast this with the usual method of financing by the private corporation, which never pays off its indebtedness, but on the contrary, the more the company earns, the more stock and bonds it keeps afloat, the outstanding paper often amounting to more than double the actual value of the utility property. Rates in Ontario have been reduced more than 50%. Super-power will come. It is on the way. This state will be crossed with trunk lines carrying light and power as it is now crossed by railways. It will mean a great saving in cost of production, The vital question is: Shall this saving go to the treasury of private monopoly, or shall it go to the people who use the service?

Are we not a little inconsistent in our attitude toward public business? Everybody is willing that the city should own and operate the police service, the fire service, the street cleaning and maintenance service, sewer service, health service and many other things which yield no income. Is not the gas, electric and street railway service just as important to the common welfare? We are perfectly willing to let the city do everything that doesn't pay, but turn over to private individuals or corporations the public functions that do pay.

Public utility charges are analogous to taxes. These things have become necessities of modern city life. We can not buy our electric or gas service in Chicago, but we must take it here at whatever rates are in force. When we turn these services over to private monopoly, we have in a sense transferred the Government to a private corporation. The relative importance of public utility charges, from standpoint o f the city government, is overlooked. The City of Springfield would, I take it, furnish a fair example in this regard.

During the present fiscal year our City Government will expend from moneys received from its inhabitants as taxes and licenses, a total of about \$500,000. During the same period, the residents of this same city will have paid out for public services supplied by public utilities (omitting telephones and telegraph), \$2,700,000, or over five times the amount levied and collected by

the City Government. These utilities include water, street railway, gas, electric light and power, and heat, each of which furnishes to the people living in the city, services which are as much public in their nature and just as necessary to the welfare of each resident as our public libraries, paving, sewage, fire and police protection, etc. When we split hairs over our tax rate and overlook this larger item, are we not "straining at a gnat and swallowing a camel"?

But it is objected that it is dangerous to bring public utilities into politics. The answer is that they are in politics up to their ears already. Shall it be open and honorable politics, or the back door, gum shoe, sinister and corrupting kind?

It is objected that under public ownership it would be impossible to carry out a logical and continuous program on account of the frequent change of employees and management. This is a fallacy. In Springfield, the private company has changed managers four times in the last ten years; the city owned utilities has not changed at all.

It is the common experience that cities are very slow and reluctant to change men in charge of these important utilities when found competent.

Publicly-owned water works have been so generally successful that scarcely anyone can be found who will attempt to defend private ownership of this; but it is argued that an electric plant requires greater skill which the city can not be relied on to furnish. This argument sounds like a joke to those familiar with the subject. Of course, you would require electricians to operate an electric plant just as you would require masons to build a brick or stone house. The manager of a water works has resting on his shoulders the responsibility for the health and very life of the citizens, and also for the protection of the city from fire. The management of the electric plant involves much less serious responsibility. The most common and perhaps the most effective argument is that your public debt will bankrupt the town.

There is a fallacy and delusion about this public debt matter to which I wish especially to call your attention. Your city, our city, practic-tically all American cities, are right now burdened with a huge debt on account of these public

utilities, notwithstanding the fact that they are privately owned; and this debt usually amounts to two or three times as much as the actual cost of these utilities. All of the interest on utilities bonds and stock must be and is paid by the people of the city being served, even though they are issued by and held in the name of a private corporation.

The people are now beginning to wake up to the fact that it is cheaper and more sensible for the users of service to pay the interest on bonds issued in the name of the city, in an amount sufficient to cover the actual cost of the plant, rather than to pay interest on bonds and stock issued in the name of a private corporation, which represent two or three times the real value. Since the consumer of the service must pay the interest in either case, and the principal too (if it is ever paid), is it not stupid to shy at a public bond issue of say one million dollars which would represent actual property, and in lieu thereof fasten upon our backs three million dollars of private corporation bonds and stock representing mostly water.

Moreover, the interest rate on municipal bonds is much lower. As a matter of fact, bonds issued for the establishment of self supporting and profit earning utilities such as water works, light plants, etc., are not debts against the tax payer in the ordinary sense of the term at If you sell bonds for \$200,000 to build a city hall, taxes must be increased and the tax payer must foot the bill, but if you sell bonds for half a million dollars to supply all the electric light and power business in your city, taxes are not increased because the consumers of the service pay the interest and the principal, and all the tax payers have done is merely to loan the credit of the city to the light department.

Of course, anyone who advocates public ownership to replace the private monopolies which are already established, will be charged with disturbing business, with reducing the value of utility securities and thereby robbing "the widow and the orphan." It resolves itself into a question of whether you are to give first consideration to the common citizen of your community, the vast majority of whom must scrimp and save to make ends meet, or to the maintaining of the market value of the water-logged securities.

Besides those who give private investments first consideration, there is another group of opponents composed of those who can not conceive of a city government as an efficient business corporation devoted to the service of the public. They lack faith in human nature, and in democracy, and persist in standing in the way of those who do have faith. They are confirmed cynics, God help them, and never will be guilty of putting their shoulder to the wheel of progress toward a broader justice.

Through the public ownership of these services the conflict within the city will come to an end. I mean the conflict between those who now own or control these properties and the rest of the city. And this conflict retards the development of the American city more than any other single thing. The city government is robbed of the loyal, unselfish support of some of its strongest men and natural leaders, because their selfish interest outweighs their civic interest.

By public ownership we harness these same leaders to work in favor of a strong and efficient administration of city affairs, because the city assumes a more vital and intimate relation to the citizens. The City's hand is then on the throttle of public welfare instead of the hand of monoply being on the throttle.

Public utility corporations gain the support and submission of citizens in two principal ways. They carry favors and rewards in one hand, and a club in the other, you can take your choice. Everyone who has had experience in public life, knows this is true.

Why not tempt our city officials and citizens to be loyal to the city, instead of tempting them to be disloyal? Most of us are like the Irishman, we can stand anything but temptation.

Personally, I am through attacking individuals, either those representing the private corporation, or their victims. This evil, like most great evils, is institutional rather than personal. It is as natural for utility corporations to be in politics as for water to run down hill. As long as we maintain this breeding ground for civic disloyalty, we will all have to suffer the consequences together.

One of the most alluring delusions concerning utilities is the scheme of regulation by state commission. In nearly every instance state laws

promoted by the utility corporations. From the standpoint of the people, regulation has been a failure. From the standpoint of the private owners, it has been a success. It tends to validate inflated securities by putting the moral support of the state behind them. When a state commission is appointed, the utilities corporations immediately surround it with their able and ingratiating attorneys, their engineers and accountants, and proceed to "educate" it to their point of view. An enviornment is thus created which is practically irresistible.

Moreover, the commission is usually appointed by the governor, and great pressure is brought to bear to see that men who are "safe," are appointed. The private utility manager in every town becomes a political captain to see that the right man is elected governor and that he appoints the right man on the commission.

It is argued that a utility commission takes the utilities out of politics. This is a mistake. Political activity in state politics is increased rather than diminished.

Regulation does not protect the public, but it does take away from private owners of utilities the normal and proper incentive to efficiency. Regulation creates a favored industry where the government steps in and guarantees a fixed return on the capital invested. Regulation protects the private owners against loss in their business, and compels the consuming public to bear the burden of bad judgment or extravagant management, and tends to give validity to fictitious investments. It is a positive discouragement to economy and efficiency both in the cost of construction and in operation.

Consider for a moment what you would do if you were given a monoply of the electric business of a city under state regulation, and were permitted by law to collect from a consumer a sum sufficient to pay all operating expenses, and in addition thereto 8% on the value of the property. Knowing that the state commission would raise your rates and take the money from consumers, there would be no incentive for you to keep expenses down; on the contrary, would you not be tempted to put yourself and your friends in high salaried positions, or conspire with others to pay excessive prices for material or supplies, which excess would be paid

back to you privately, and by these means absorb as much extra profit as possible?

Neither would there be any incentive to keep down the amount invested in the business. On the contrary, the more invested, the better, since the state commission guarantees you 8% and helps you to collect it. The commission becomes a tax assessing body. You report what your operating expenses were, adding thereto 8% on your investment, and the commission proceeds to levy upon the consumers the necessary tax to pay this bill.

In the nature of the case such a system is doomed to failure. It is talked of as a protection to the public. It is not! It tends to keep rates up instead of down, and at the same time throws a wet blanket on normal thrift and economy.

Washington City is rich in monuments and buildings, and statutes and pictures and other marks of our country's greatness. One of the recent landmarks in architecture is the massive and stately new Union Station. Over the Grand entrance I read the following inscription:

"Electricity, carrier of light and power; devourer of time and space; bearer of human speech over land and sea; greatest servant of man; itself unknown."

Just why this inscription was deemed appropriate in this place, I do not know; but as I read, I thought of the utter futility of all invention by which the forces of nature are subdued, except in the degree that it is made the servant of the common man, that numerous class which Lincoln said "God must love because there are so many of them."

SEATTLE TOURIST CAMP

During the summer season just closed 8,798 visiting cars were registered in the Seattle, Wash., tourist camp. The camp equipment includes hot water shower baths, cooking stoves and electric oven, free pancake flour in the morning and free entertainment every night. The 50 cent a night charge netted the city \$10,000 while the expenses were only \$6,000.

Spokane, Wash., netted \$10,896 from golf fees in 1922. A charge of \$20 for the season ticket and 25 cents per game, is made. The present 9-hole course is being extended to 18 holes.

Report Committee on Legislation

Hon, W. A. Hunt, City Solicitor, Ottumwa, Chairman

(Continued from last issue)

The mention of the special session brings us to a consideration of the code commission bills, affecting cities and towns, which have been prepared by the code commission and will be introduced at the special session of the legislature this fall and winter. Some of them affect cities and towns very vitally and should be very carefully scrutinized by all city officials. We will only have time to take up briefly a few of them and some of the more important.

Now a few words as to the code commission bills. The legislature is to meet this fall, and the code commission has already prepared a great many bills, which vitally affect cities and towns. Many of them are merely a re-codification of the law and a reconciling, rewording and a grouping of different code sections applying to the same subject matter. We wish only for time now to consider briefly the first three code commission bills, which illustrate fairly well the general nature of the rest of them.

Code commission bill, No 153 relates to the incorporation of municipalities. This bill amends compiled code sections 3471, 3472, 3473, 3479-3481; 3485; 3488; 3497; 3504; 3519; relating to incorporation of municipalities, and tenure of office and makes the following changes as it exists in the present law:

- 1. Section 1 to 5 inclusive of the bill deal with C. C. sections 3471 3472, 3473, and 3519:
- A. C. C. 3471, provides that at the first election there shall be elected a council, mayor, clerk and treasurer:—Section 1 of this bill omits the clerk.
- B. C. C. section 3471 provides that notice of the election for two consecutive weeks in a newspaper published in the county.

 Section 1 of this bill makes it further necessary that such newspaper must also be one "of general circulation in the county."
- C. C. sections 3471 provides that the officers thus elected "shall hold their offices until the first regular election thereafter.

- This wording is omitted from this bill.
- D. C. C. sections 3472, line 8, provides that these officers thus elected, after having qualified, "shall hold until the next annual election of officers."

This wording is omitted from this bill.

- E. C. C. section 3519 provides that these city officers thus elected shall hold office until their successors are elected and qualified at the city election held in the second March thereafter.
 - Section 4, of this bill provides that these officers shall hold office until their successors are elected at the general city election held in the second March thereafter, and have qualified.
- F. C. C. 3473 with reference to discontinuance of municipal corporation provides that 30 days notice thereof must be given by publication once each week in a newspaper, if any, published within the limits of the city or town.
 - Section 5 of this bill provides that the publication shall be once each week for 2 weeks in a newspaper of general circulation within the city or town.
- G. C. C. 3473 provides that the question submitted shall be as to discontinuing the "incorporation" while sec. 5, of this bill designates that the question to be submitted shall be as to the discontinuance of the corporation."
- 2. Sections 6 and 7 of the bill deal with C. C. section 3479 to 3481 inclusive.
- A. C. C. 3481 sets forth the proceedings where one town is to be annexed to another. Line 1 of C. C. 3481 says "another and contiguous city" while line 1 of sec. 6 of this bill omits the word "and" thus reading "another contigious city," etc.
- B. In line 2 and 3 of C. C. 3481 it is provided that the council of each city or town shall appoint 3 commissioners "to arrange and report to the respective councils," while

- line 3 sec. 6 of the instant bill substitutes that these commissioners "shall meet and fix" returns, etc.
- C. Line 3 C. C. 3481 states that these commissioners shall fix the terms and conditions while line 3 of this bill provides merely that the commissioners shall fix the "terms" the words "and conditions" being omitted.
- D. Line 4 C. C. 3481 provides that the commissioners shall fix the term and conditions on which the proposed annexation can be made while line 4 of this bill provides that it shall be the terms upon which the proposed annexation shall be made.
- E. There is some change in the wording of line 5 C. C. 3481 as set forth in line 5 of sec. 6 of this bill but no change in the meaning.
- F. Line 6 of C. C. 3481 provides that if the councils of each city approves the terms and conditions proposed they shall, by proper ordinances so declare, while line 6 of sec. 6 of this bill provides that they shall in identical ordinances so declare with the further provision that within these ordinances the city councils shall 'therein declare whether the question shall be voted upon at a special election, fixing the date thereof, or at the next regular city election.
- G. C. 3481 provides that notice must be given by one publication of each of said ordinances in a newspaper, if any, published in each of said cities or towns and by posting same in five public places in each of said cities or towns, while sec. 6 of this bill provides that both ordinance together with statement that both councils have adopted the same, shall be published once in two newspapers in general circulation in both cities or towns and be posted in five public places therein.
- H. Line 15 to 19 of C. C. 3481 provides that 'the clerk of each city or town shall cause the ballots to be printed and the proposition to be placed on the same and the elector shall designate his vote and the election shall be conducted in the manner provided in like or similar cases in the title on elections' these words are entirely omitted from sec. 7 of this bill.
- I. There is no further change in the meaning

- of the balance of C. C. 3481 as set forth in sec. 7 of this bill. There is little change in the wording but no change in the meaning and the change in the wording is merely to make better grammatical construction of sentences.
- 3. Sec. 8 deals with C. C. sec. 3485 with reference to taxation of agricultural lands.
- A. Lines 6 to 10 of C. C. 3485 are omitted. They are as follows: "Except that they may be subjected to a road tax to the same extent as tho they were outside of city or town limits, which tax shall be paid into the city or town treasury. Such land shall not be exempt from taxation for library purposes as provided by section thirty-seven hundred fifty-eight."
- B. This matter is taken care of, however, in code commission bill No. 177, sec. 3, and is combined therein with C. C. sec. 4034.
- 4. Sec. 9 of this bill deals with C. C. 3488.
- A. The most important change in the law is that under C. C. 3488 the city or town council not giving its consent to annexation provides for the same by ordinance or resolution. In sec. 9 the words "ordinance or resolution" are stricken wherever they appear and the word "resolution" is substituted.
- B. The words "in its discretion" in line 2 C. C. 3488 are omitted from the instant bill but from the wording of the bill these words are nevertheless implied.
- C. C. 3488 provides in lines 3 and 4 thereof the question of annexation may be submitted "at the next annual election;" while
 in line 3 of sec. 9 it is provided that the
 question may be submitted "at a special
 election or at the next city or town election"
 thus enlarging the scope of the law by making a special election possible on the question of annexation and substituting "city"
 or "town" election for annual election.
- D. Lines 19-21 of C. C. 3488 provides that when the proposition of annexation has been voted upon favorably at an election, copies of the record "shall be filed and recorded" as provided in the corporation of towns; in lines 11-14 of sec. 9 of the instant bill it is provided that the clerk of the court "shall record the same" as provided in the matter of

incorporation of towns, thus making it definitely the duty of the clerk of the court to record the same. In the present law his duty in that regard is implied but not definitely stated.

- 5. Sec. 10 of this bill deals with C. C. 3497 and modifies the same in the following particulars.
- A. It is provided in C. C. 3497, lines 6 and 7, that the question of changing the corporate name of a city or town shall be submitted to the qualified electors at "the next annual election" while in lines 6 and 7 of sec. 10 of the instant bill it is provided that said question shall be submitted at "the next regular city or town election."
- B. In lines 8 and 9, C. C. 3497, is provided that notice thereof shall be published in a newspaper "published in said city or town;" whereas in line 9 in sec. 10 of this instant bill it is provided that said notice shall be published in a newspaper "published and of general circulation in said city or town."
- 6. Section 11 of this bill deals with C. C. sec. 3504 and amends and revises it in the following particulars:
- A. It is provided in line 2 of C. C. 3504 that the charter shall be abandoned "as herein provided." This is omitted from line 2 of sec. 11 of the instant bill undoubtedly being considered as superfluous as are also the words "at the proper time" immediately following. Doubtless for the same reason.
- B. The word "municipal" election in line 3 of C. C. 3504 is changed to the word "city" election in line 3 of sec. 11 of the instant bill. The meaning, however, is the same.
- C. In lines 3, 4 and 5 of C. C. 3504 the words as "provided in the title on elections for cities and towns organized under this title" are omitted undoubtedly being considered as superfluous.
- D. It is provided in lines 10 and 11 of C. C. 3504 that "such city or town shall be considered organized under this title," while line 9 of sec. 11 of the instant bill provides "it shall be held organized under this chapter." It does not change the meaning.

There are no further changes of interest or importance in this bill.

Code commission bill No, 154 deals with

organization and officers of municipal corporations.

This bill makes some revision of the law with reference to the organization of cities and towns. It does not make a great many changes but is mainly to clarify the law in several places.

- 1. Section 1 of this bill deals with C. C. 3508. The word municipal is omitted in line 3. The reference being merely to a corporation, municipal of course being implied. The latter part of section 3508 is changed. Lines 5 to 12 being omitted and there being substituted therefor different wording but retaining the same meaning. So there is really no change of any consequence in this section. The bill omits "by an increase of population." In lines 5 to 6 C. C. 3508 and is modified by omitting the limitations to city it then takes effect of code of 1897.
- Section 2 of this bill deals with C. C. 3509, the wording of the first three lines being changed but the meaning remains unchanged. The first part of the section is merely reworded and some of superfluous words are omitted in line 7 of said code section. The words "by law" are added which were really implied in the old section but not written in. These words make the section clearer in meaning. Lines 8 and 9 of C. C. section 3509 are changed somewhat in wording but the meaning remains the same, dealing with the division of the town or city into wards for the purpose of holding first election. The bill omits "at the next regular annual biennial period for the election of officers after such statement is published, showing a change of class' and substitutes "before the next election in a city or town after a change of class."
- 3. Section 3 of this bill deals with C. C. section 3511 and 3515; 3515 is omitted entirely as being obsolete. The bills substitute the word "city and town" for the "municipal" in line 1 of section 3511 and provides for a biennial election only. No provision being made for an annual election as is indicated in line 2 of C. C. 3511. C. C. section 3511, lines 3 and 4 provides that there should be one polling place for each precinct, while section 3 of this bill provides

- that there shall be at least one polling place in each precinct or ward as the case may be. This is new.
- 4. Section 4 of this bill deals with C. C. 3553 and 3554, combining both sections into one. The word "same" is added in line 2 C. C. 3553 before the word "manner" but does not change the meaning of section. The words "one of the court and" are omitted from line 4, C. C. 3553 as being superfluous. Section 4 merely combines the code section referred to and does not change the meaning to any appreciable extent.
 - 5. Section 5 of this bill unites in the same section C. C. sections 3512 and 3513 and provides that every officer elected or appointed in the city or town shall be a qualified voter thereof instead of a qualified elector. There is no other change in the meaning, The bill omits "and shall reside within the limits of said city during his term of office" because this provision is covered by C. C. 664.
- Section 6 of this bill deals with section 3514 6. and 3515. Section 3515 is obsolete and hence is omitted with the exception of lines 12 to 15, which are incorporated in section 6. Section 6 of this bill provides that councilmen of cities "except as otherwise provided" shall consist of 2 councilmen at large and 1 councilman from each ward, The words "except as otherwise provided" is new and evidently made necessary because of the fact that some cities now operating under commission plan and city manager plan. The word "parts" is added in line 13 after the word "which" by merely writing into the section what has already been implied. The main force and effect of section 6 is to combine C. C. 3514 and C. C. 3515 in one section omitting such parts as are obsolete.
- 7. Section 7 of this bill deals with C. C. 3516, 3517, 3518 combining all of these sections into one section. There is nothing new added with the exception of the words "municipal or" which is added in line 3 of C. C. 3516 in front of the words "Superior Court." There is no change in the meaning of the section with this exception that

- where there is now or may hereafter be a municipal court no police judge may be elected or appointed.
- 8. Section 8 of this bill deals with C. C. 3521, lines 12 and 14 are omitted as superfluous and the words "and other officers as may be provided by ordinance" are submitted in place of naming certain specific officers who shall be appointed by the mayor.
 - Part of section 8 also provides that the health officer shall be a member of the local board of health. This provision is new.
- Section 9 of this bill has to do with C. C. 3530. Section 9 deals with first part of said code section. The only change in this is that the law is made applicable to towns as well as to cities.
- 10. Section 10 of this bill deals also with the latter part of C. C 3530. The code section provides that the bank shall file a bond for double the amount deposited, while this bill provides that the bank shall file a bond in the "sum to be fixed by the council, which shall not be less than double the amount which it is estimated will be on deposit at any one time." So there is little or no change in the meaning.
 - Lines 12 to 14 of said code section are omitted entirely so under the provisions of this bill the bond has to be the same whether it is a surety bond or personal bond. This bill further provides that action thereon may be brought by the treasurer of the city, whereas line 15 of C. C. 3530 provides that action shall be brought. Thus apparently making it optional.
- 11. Section 11 of the instant bill deals with C. C. 3531. There is no change in the meaning of the section, although the wording is changed slightly. The words "may be" are substituted for the words "shall be" in line 3.
- 12. Section 12 of this bill deals with C. C. 3532, the meaning remaining unchanged and the wording is only slightly changed.
- 13. Section 13 of this bill deals with C. C. 3533. There is no change in the meaning with the exception of the words "or town" being added after "city," thus making the matter of paying the expense of treasurer's bond apply to towns as well as to cities.

- 14. Section 14 of this bill deals with C. C.. Sections 3535, 3536 and 3521 and unites these three sections in one. There is no change in the meaning of the sections. There is no rearrangement of the wording.
- 15. Section 15 deals with C. C. 3541 and 3551 uniting the first part of 3541 and all of 3551 into one section. There is no change in the meaning. Lines 58 to 60 of C. C. 3541 are omitted because of being covered by C. C. 3552.
- 16. Section 16 of this bill deals with C. C. 3541. Section 9 of 3541 provides that the terms of service of officers shall not exceed two years instead of one year as provided in section 10 of 3541.

Sections 3640 and 3766 are made a subdivision, numbered 13 under section 16 of this bill. There is no change, however, in the meaning.

Part 13 of section 16 of this bill combines C. C. 3640 and 3766. The words "or towns erecting a soldier, sailor, and marines' memorial building is new. But in view of the last line of part 13 of section 16 provides that such congress may be appointed in any city or town and seems to have no change in the meaning.

In part I5 of section 16 of this bill the words "and of general circulation" is new. The previous requirement merely being that the newspaper should be published in the city with no further qualifications in part 16 of section 16 of this bill.

The word "separate" is added before the word appropriations. This word is new and now requires separate appropriation for all the different expenditures of city government for each fiscal year.

- 17. Section 17 of this bill deals with 3541 and 3550, combining the two sections into one, but there is no change in the meaning.
- 18. Section 18 of this bill deals with 3550, 3551, and 3541, combining certain parts thereof but with no change in the meaning. On the whole this bill apparently contemplates a re-codification and re-writing of the code sections dealing with organizations and officers of municipal corporations but with very little change in the meaning except as are pointed out herein.

- Code Commission Bill No. 155 deals with the Civil Service Commission.
- 1. Section 1 of this bill deals with C. C. 4232 S. C. C. 4297A1-A2 A3. The only change of any consequence in the first section of this bill being under commission plan cities. The minimum limit of population is lowered from 15,000 to 8,000.

Furthermore it provides that the commissioners must be residents of the city five years next preceding their appointment, while C. C. 4232 provides for only three years residence.

Lines 19 and 20 C. C. 4232 are omitted as superfluous.

- 2. Section 2 of this bill deals with C. C. 4232 S. C. C. 4297A2 and 4297A8. About the only change made in this section is that the bill omits "the council shall exercise and perform all duties" and substitutes "may provide by ordinance for the exercise of the powers and performance of the duties."
- 3. Section 3 of this bill deals with 4232, lines 16 to 18 and lines 27 to 28 and S. C. C. 4297A5 lines 1 to 3. It makes no change whatsoever in the existing law. Lines 3 and 4 S. C. C. 4297 A5 being omitted as unnecessary.
 - 4. Section 4 does not change the law in any way from what it is at the present time.
- 5. Section 5 does not change the law materially from what it is at the present time.
- 6. The words "and efficient" in line 3 of this section are new, otherwise there is no change in the law as existing at the present time.
- 7. This section deals with C. C. 4232, lines 37 to 46, and S. C. C. 4297 A9. It makes no change in the law as existing at the present time.
- 8. Section 8 of this bill makes no change in the existing law other than S. C. C. 4297 A12 is modified to correspond with C. C. 4232.
- 9. In section 9 of this bill the words "in cities under the commission plan the council shall appoint the chief of police" is new otherwise no change in the existing law.
- 10. Section 10 of this bill makes no change in the existing law.
- 11. Section 11 of this bill deals with C. .C

- 4232, lines 120 to 124, and S. C. C. 4297 A13. The qualifications are made applicable to all civil service employees. The only change is that the words "or drug" in in the last line is new.
- 12. Section 12 deals with lines 60 to 65 of C. C. 4232 the words 'no person appointed for civil service shall be removed arbitrarily' is new but does not materially change the meaning of the law.
- 13. This section deals with C. C 4232, lines 65 to 73, and S. C. C. 4279 A16. The provisions for the support of dispension or discharge to councils in cities under city manager plan is new. It virtually does away with provisions in this regard for city manager cities enacted by the 39th General Assembly.
- 14. Section 14 does not change the law materially with reference to commission plan cities but does change it materially with reference to appeal to cities under manager plan, making the method the same in both classes of cities and virtually does away with the rule for city manager cities in this regard made by the 39th General Assembly.
- 15. Section 15 of this bill deals with C. C. 4232, line 84 to 89. It modifies the law by specifying definite persons upon whom notice must be served, making it sufficient to file the notice with the city clerk and service must be made upon persons suspended or discharged. It obviates the necessity of filing notice with the civil service commissioner as heretofore required.
- 16. Section 16 changes the method of appeal in cities under city manager plan and makes it the same as in commission plan cities. It practically does away, entirely with the provisions gotten through the 39th General Assembly for city manager cities in this regard.
- 17. Section 17 of this bill does not change the law materially with the exception of providing that all the parties must be notified in writing as to the time and place of hearing of appeal where as formerly it was only made necessary to notify the appellent.
- 18. There is no change in section 18 of this bill as to commission plan cities, but the cities under city manager plan with refer-

- ence to compulsory attendance of witnesses and the production of evidence.
- 19. Section 19 of this bill is entirely new and provides for the punishment by "contempt for witnesses who refuse to appear or testify.
- 20. Section 20 of this bill omits the word "appellant" and substitutes the words "the parties" This, however, was implied in the law before anyhow.
- 21. Section 21 of this bill does not change the existing law with the exception of adding these words "he shall be reinstated as before suspension or discharge and be entitled to compensation accordingly." This wording is new, but it was implied anyhow in the law as it was before, so it really does not change the meaning of the law.
- 22. Section 22 deals with C. C. 3570, lines 35 to 51, making it applicable to all employees of civil service providing that "whenever the public interests require a diminuation in the number of employees under the civil service the same may be reduced by resolution of council." Lines 1 to 35 of said code section are omitted.
- 23. This section 23 of C. C. 4232, lines 127 to 135, make it applicable to all employees of civil service; otherwise there is no change in the existing law.

GENERAL EXPLANATION

The general proposition of this bill is to codify and make uniform all laws with reference to civil service commissions and make them of uniform application to all cities.

On account of the complication arising from the enactment of two bills with reference to the civil service commission in cities under the manager plan, by the 39th General Assembly, it became necessary to revise and codify the same; and in view of the practical duplication of chapter 5 of title 13 of the compiled code of Iowa, and of C. C. 4232 applicable to cities under the commission plan, it seemed advisable to revise and codify said chapter 5, said C. C. 4232, and the two acts of the 39th General Assembly known as S. C. C. 4297 A19. Therefor, that has been done with the least possible change in the meaning of any of these laws, to bring about uniformity.

This bill broadens the board of police and fire commissioners' law somewhat. That law

was applicable only to the police and fire departments, while the bill makes it applicable to the other employees, except, of course, such as are excepted in sections 5 of this bill.

This bill changes the law in regard to cities under the commission plan by providing a commission for cities of eight thousand and over instead of fifteen thousand or over, making it in that respect to conform to the board of police and fire commissioners' law.

Substitute for bill No. 155 repeals chapter 5 title 13 with reference to the board of police and fire commissioners, and provides for a civil service commission to exercise the powers formerly exercised by the board. It repeals S. C. C. 4297 A4 because that section is covered by section 606 of the compiled code.

From these bills will be seen the general nature of what code commission has in mind with reference to the revised code.

Suffice it is to say that in as much as cities and towns must have specific legislative authority for their every act, and in as much as the legislature may make some sweeping changes in the present laws, it is very vital that the cities and towns of Iowa watch very closely all contemplated legislation which may affect their very life and existence.

The League of Iowa Municipalities does not want to see enacted any special legislation that will benefit the cities and towns of the state but might injure some other interest. We have too much special legislation being demanded by selfish interests already. What we want is such clean, wholesome legislation that shall enable the cities and towns of Iowa to reach a maximum of efficiency and prosperity and which shall at the same time not injure any other interest but shall be for the good of the people as a whole. To this end this committee solicits your hearty and sympathetic co-operation.

It is reported that all applicants for admission to the Oew Orleans police force must qualify in a Red Cross first-aid instruction course. Such instruction is also given in the Milwaukee, Wisconson, Training School.

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What Constitutes a Business Administration

(Continued from page 54)

cipal housekeeping. This wide range of duties is sufficiently indicated by the terms, highways, sewers, parks, public health, garbage collection, public utilities of many kinds. But while these details occupy the larger part of the officials time, these are yet but mere incidents of the proper administration of public affairs.

The really big problems come under the head of the protection of the great mass of individuals in city and country, who are scattered on farms and in the shops, and who are wholly at a disadvantage when it comes to making their wants known and felt at the city hall, the court house, the capitol.

If public officials fail in these somewhat intangible duties, which are of supreme importance, our institutions fail. If public officials succeed in these supremely essential matters, our institutions go forward successfully and happily.

Of course public utilities and public services must be provided honestly, efficiently and economically. But after all this has been done, the main things remain undone the things which ordinarily come into view only at times of social and political crises, but which ought to occupy the best thought of the administrator of public affairs at all times.

We should know and accept the fact, that he who fulfils these requirements in the administration of public affairs must do it at a great personal price. The mayor of Youngstown was right when he talked about a business administration. But he failed utterly to understand what constitutes a business administration of public affairs. He feared criticism. He had no patience with the people. He was not willing to pay the price.

The very cornerstone of any government of the people by the people is faith in the ability of the people through open and fair discussion to arrive at just conclusions.

It is the business of the public official to encourage this open and free discussion, to listen to it, to help to guide it in such a way that he shall always be in process of finding out what the people really want.

The man who is to accomplish this must be "sagacious, patient, fearing praise, not blame."

Information Bureau

Questions Answered Free for Officers of Members of League of Iowa Municipalities

S. M.—Our volunteer fire department receives no pay for their service except that the members are exempt from paying poll tax. Will our town be liable for damage for injuries received or illness contracted and attributable to their service as firemen.?

I am of the opinion that a member of the volunteer fire department if injured in his line of duty, that is while working for the town, would be entitled to compensation the same as any other employee of the town. Personally, I think it a very desirable thing that cities and towns, especially the smaller towns, carry compensation insurance.

R. J. M.—We have had some dispute in regard to persons liable to a poll tax. If a person is 21 years old is there any certain time of the year that he shall become of age to be liable for poll tax, i. e. if a man was of age Jan. 29th would he be liable, and at the age of 45 will he be exempt, altho he may have been 44 at the time the assessor took his tax.

The attorney general has ruled that a man becoming twenty one years of age any time before October of any year is subject to poll tax in that year. This makes the man who became of age January 29th liable for the tax for this year. The attorney general also held that a man who did not become forty-five years of age before October of any one year would be liable for the poll tax of that year.

J. A. J.—Can the council suspend the rules and pass an ordinance at one meeting with four voting for and one against.

The state law provides that by three-fourths vote of the council the rule providing that an ordinance must be read on three different days, may be suspended and the ordinances passed at one meeting. In your case if four members of the council would vote to suspend the rule you could pass an ordinance at one meeting.

E. T.—If the city pays off a bond issue (funding) and uses some of the surplus from the general fund in connection with the sinking fund, can there be any question as to its legality?

I have always held that the general fund can be used for any purpose, and I believe that there is no question that the general fund can be used for paying off bonds, or for any other purpose that the council desires. It is not advisable to rob the general fund for the purpose of doing this as you should always have money enough in the general fund to meet your current expenses, but if you have a surplus that you do not need in the general fund, you can in my judgment, use it to pay off bonds.

S. C. W.—We have at least one citizen who maintains that he is a member of and a commissioned officer in what he terms the reserve forces of the United States Army, contends that he holds a commission as a lieutenant and is subject to call for duty any time during the life of his commission, which was in the beginning for a period of five years. He says he is in just the same status as any member of the National Guard as to his being entitled to exemption from poll tax.

I am inclined to think that a member of the United States Army Reserves is in fact a member of the United States Army, and as such would be exempt from poll tax. These members of the reserve are liable to be called at any time for service, and are a very important part of any army that we would raise in case of need. If the man can convince you that he is a reserve of the army, he should in my mind, be exempt from poll tax.

A. A. D.—The town council has passed a resolution ordering some new sidewalk. How must notice be given to the property owners to build the same?

There is no provision in the state law as to the notice to be given property owners to build sidewalks. Your sidewalk ordinance should set out the notice to be given the property owners and probably does. If you do not have a sidewalk ordinance you cannot construct sidewalks and tax the cost up to the abutting property. If you have a sidewalk ordinance, look this over carefully and you will probably find set out there the notice that you should give.

H. A. T.—The council has asked me to write you and find out what procedure we would have to go through in order to levy a tax for our band. Would it be possible to get this tax on the records for this year so that we could get the

money in the spring?

Before you can levy a tax for your band, the proposition must be submitted to a vote of the people. I do not think it would be possible to hold a special election and get the tax on the books so that you could receive any money next year from this band tax. If you have an election next spring, you could probably arrange to have this question voted on then, but if you do not have an election next spring, you can have a special election, and then levy your band tax next year when you make your tax levy.

C. P. A.—I have your letter of the 9th inst., enclosing poll tax ordinance. I notice, however, that the ordinance does not provide for those that prefer to labor in preference to pay a cash poll tax Kindly advise as to this. Also advise me as to whether or not you consider a member of the Officers Reserve Corps U. S. A. exempt from poll tax. This is similar to the National Guard.

Under the present law in regard to poll tax, a man does not have the right to work out the poll tax, but it must be paid to the clerk in money.

I would think that a member of the Officers Reserve Corps of the United States army is exempt from poll tax, because he is really a member of the army of the United States.

B. G. S.—If a councilman is elected in a ward and serves for five or six months then moves out of said ward does he lose his office as a councilman.

The state law provides that a councilman shall be a resident of the ward from which he is a member and this has been generally construed to mean that if a councilman moves from the ward in which he is elected, that the office of councilman immediately becomes vacant without any action on his part or on any action of the council, as the very fact that moving from the ward from which he was elected makes him no longer a councilman.

C. A. P.—Kindly advise whether the amount of poll tax is set by the state or whether or not the town can set its own amount.

The amount of poll tax is not fixed by state law, but should be fixed by the town or rather under the state law the amount of the poll tax must be fixed by the council the first of each January.

A. A.Y.—At our regular meeting the first of this month one of the councilmen handed in his resignation, there being only two others present it was tabled. Since then two other resignations

have come to me, leaving only two councilmen.

The attorney general has ruled that in the case of a resignation of a municipal official, it is not necessary to accept the resignation, but that the resignation when filed becomes operative. this is true the councilmen who have resigned, are not now members. The law provides that all vacancies shall be filled by the council, by election and while the law provides that these vacancies shall be filled by a majority vote of the entire council. yet when you only have two councilmen, they can certainly go ahead and fill the vacancy. I suggest that the two councilmen who are left elect one man as councilmen, and then the three elect the fourth councilman, and the four elect the fifth. If you follow this proceedure there will be no objections, I am quite sure.

F. R. M.—Please advise what is necessary if any thing, for the council to do, to put on the ballot at the spring election, the question as to whether or not pool rooms and Sunday movies can operate. We want to put the two questions on the spring ballot and let the voters decide.

There is no provision in the law for submitting questions such as whether pool halls shall operate and whether you shall have Sunday movies on the regular ballot, at your election. Even though the people would vote one way or another. it would be simply an expression of their opinion and it would not bind the council if the council believe differently than the majority of the people. Some towns for the information of the council. have had informal elections on these subjects and where such informal elections have been held they can be held anywhere you desire because as suggested they are not provided for by law. If you desire to submit this question to your next election, prepare ballots and have your people vote them, and have the ballots counted. The result will give you the idea of the desires of the people, but as above suggested it is simply an expression of their opinion.

J. B.—We have paid our mayor the same salary as councilmen, \$1.00 each meeting, but he has spent many days looking after town business. I was asked by the council to write you and find out if a town this size could pay a stated salary or pay him something for extra time put in.

It depends on your ordinance fixing salaries as to what you can pay the mayor as salary. He receives the salary fixed by ordinance and no more. The law also provides that the salary of the mayor cannot be increased during the term for

which he is elected. The council can however, fix the salary of the mayor at any figure they desire, by an ordinance fixing the salary of the mayor but this would not become effective now, until after the next election. So long as you desire to pay your mayor more salary, I strongly advise that you pass such an ordinance at this time fixing the salary of the mayor so that the next mayor can receive what you believe is a reasonable pay. All of your salaries should be fixed by ordinance, and if you do not have such an ordinance, let me know and I will send you one.

R. C. M.—We have a tile drain running from a septic tank at school house, across lots and empties in a pasture or rather in a small ravine in same. This party owning the land says he is going to make us take care of the drainage across his place to the railroad right of way. Our understanding is that a property owner has to take care of natural drainage coming on his property. We have to drain to his place to get out.

It is true that a property owner must take care of the natural drainage from the land above him but this does not apply to sewerage or to liquid from septic tank or sewer. The town or private individual has no right to dump sewerage on to a man, or to in any way increase the natural flow of the water. The liquid from the septic tank would probably cause more or less oders and in my opinion it is very probable that the man could secure an injunction restraining the school district or the town from emptying this sewerage onto his land. I could not give a definite opinion without being on the ground, and seeing all of the conditions, but am inclined to think from your statement that the property owner has the best of the argument.

O. J. M.—In regard to our municipal light plant we have about three hundred dollars surplus which we have made as a profit on current furnished. Can said money be used for improvement on streets.

I doubt very much if you can transfer the money in the electric light fund to the general fund to be used in the streets. If your electric light plant is a local plant and the income from the plant is more than the cost of the operation, you should first maintain your plant in the highest state of efficiency and accumulate a surplus for unforeseen accidents. It is a mighty good thing to have a surplus in the light and water fund to be used in the case of emergencies, and the theory of the law is that all money received for the electric light de-

partment should be used in this department.

J. G. G.—We are having some trouble with sidewalks, that is the trees along the walk, both inside and outside the walk the roots from the trees keep growing under the walk and heaving the walk up. Now what I would like to know is it the town's place to take care of this and repair it or is it the property owners place to take out the roots and put the walk back. Also when a part of the walk breaks up and needs repairing whose place is it to repair it, the town or property owner?

Under the state law a town has the right to repair sidewalks without notice to the property owners, and tax the cost up to the property. The law makes it the duty of the town to keep the streets and sidewalks in a safe and passable condition, and in order that they may do this it also gives them the right to repair sidewalks without notice to the property owner and tax the cost up to the property. The usual plan is for the town to serve a notice on the property owner to repair the sidewalk within ten days, or within some certain time, and then if the property owner does not repair the walk to the satisfaction of the town, the town can go ahead and repair the sidewalk and tax the cost up to the property. If you will read section 780 of the code of 1897, you will see exactly what the law is on this subject.

T. F. S.—Our town council would like to know if an ordinance can be passed and enforced prohibiting non-residents from shipping in cattle by the car load and selling them at the stock yards where they are unloaded, either by auction or by private sale.

You cannot prohibit a person shipping in cattle by the car load and selling them at the stock yards, either by auction or private sale, but the chances are that you have a transient merchants ordinance, and these people would without doubt be transient merchants, and you could collect a license from them as transient merchants. It might be that you have an ordinance licensing auctioneers and if this is so you can charge the man who acts as auctioneer a license under your ordinance.

The law seems to be that a non-resident has all the rights of doing business in a town that a resident has, but that the town can charge the transient merchant a reasonable license to help pay the expenses of the town on the theory that any such business adds to the expense of the town, and that the man while there receives the benefits, police protection, fire protection, lights,

water and all the other city comforts that the people in the town maintain. If you will look through your license ordinance, you will probably find a provision in regard to transient merchants, and I imagine that this would be broad enough to cover the man shipping in cattle.

L. E. B.—Could you advise me for the town council what other towns are doing with the out house or privy situation in the town. Is there an ordinance that could be passed doing away with the out house in the business district as long as the town has sanitary sewer.

I inclose you a statement of the law in regard to outside toilets, from which you will see that according to the rules of the state board of health everyone must abandon outside toilets and connect with the sanitary sewer system where sanitary sewer is ajacent to their property. The state law also makes it a misdemeanor to violate any rule of the state board of health, so it is not necessary for you to have another ordinance or local rule. You can either notify the property owners to comply with the rule of the state board of health by a certain date, or if you desire you can without such notice, file information against

them for such violation. Usually the council serves notice that the rule of the state board of health must be complied with by a certain date and then if the property owners do not comply with the notice an information is filed and the property owners fined in accordance with the law. The chances are that if this rule of the state board of health is called to the attention of the property owners, most of them will install the sanitary toilets.

NEW SEWAGE SCREENS

To the sanitary engineer one of the most interesting features of the Milwaukee sewage disposal plant is the battery of eight Tark Screens which will be used for the fine screening of the influent. In practically all modern systems of sewage disposal fine screens play an important part and Tark Screen is interesting as being the most recent development in the art of screening municipal and industrial wastes.

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THE Quality of Vitrified Paving Brick always is certain, tangible, determinable before the brick are laid on the road. Their durability can be measured with exactness before the taxpayers' money has been spent. This is one of the reasons for public confidence in

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Weaknesses of substitute and less durable surfaces can not be discovered until after the pavement is down and the taxpayers' money has been spent. This is because such wearing surfaces are not and can not be tested in advance in the same manner and with the same definite assurance of foretelling behavior under traffic as can brick surfaces. Advance testing is only one of many reasons why brick pavements last so long and cost so little for annual maintenance and repair.

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Your problem may be to provide a pavement which will stand up under hard, gruelling traffic. According to this letter, Walnut and Cherry Streets "are subjected to considerable traffic" yet "the original work still stands as then completed."

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tain times may be so severe that ordinary paving materials will not withstand them successfully. These streets at Mankato, paved with Stanolind Asphalt, have been through twelve severe Minnesota winters and are still in good condition.

Of course, you desire to keep the cost of upkeep on your roads as low as possible. Regardless of the heavy traffic and the severe weather, the roads built with Stanolind Paving Asphalt had only "insignificant allowances for repairs and upkeep during the twelve years of constant use."

Whatever your paving problems may be, you will find that Stanolind Paving Asphalt will prove as satisfactory to you as it has for other users. Ask any of them their opinion of Stanolind Paving Asphalt, and they will tell you that its low maintenance cost, low initial cost of laying, and long life make it the ideal paving material.

The latest methods of constructing and maintaining asphalt pavements are given in detail in our booklet, "Stanolind Paving Asphalt," which we will be glad to send to you on request. Use your official stationery, please.

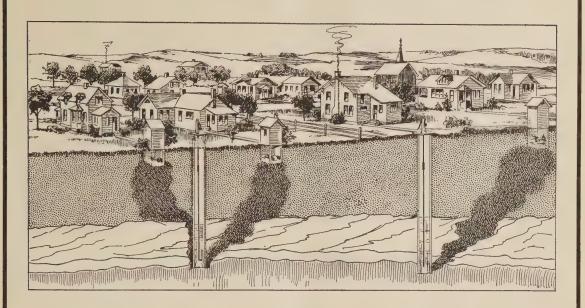
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We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

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Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

GUY E. SMITH, Secretary INDIANOLA, IOWA

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Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

WANTED—Young lawyer with good education and who is willing to work hard. A fine opening for young man just starting in practice. Frank Pierce, Marshalltown, lowa.

FOR SALE—1 Laudlaw Dunn Gordon compound pump. One million capacity, in good condition. Size stroke 11 x 16 x 10 x 18. C. E. Boblett, Clerk, Perry, Iowa

FOR SALE—One hundred eighty lineal feet of five inch wrought iron well casing which was taken out of the old well, but in good condition. For sale at twenty-five cents per lineal foot, F. O. B. Ryan. J. E. Cody, Clerk, Ryan, Iowa.

FOR SALE—One two story building located in Fairfield Iowa, built in 1920 out of hollow tile, rents for \$100.00 per month with a five year lease dated April 1st 1922, priced to sell, we need the money. L. F. Frye, Treasurer, West Point, Iowa.

WANTED—A second hand horse drawn street flusher. W. E. Gilchrist, City Clerk, Vinton, Ia. 423

WANTED—Second hand street sprinkler. Please give full particulars and price in first letter. Address B. R. Grawburg, Clerk, Pierson, Iowa. 423

WANTED—Position as manager of a town lighting system. A. V. Landgren, 2437 South 24th Street, Omaha, Nebr. 323

WANTED—An Iron or Copper Chemical Tank of 40 gallon capacity. One of the turn over type, and unmounted. J. Theran Murray, Clerk, Schaller, Iowa.

WANTED—If you have any apparatus or equipment that you do not need advertise it for sale in this classified department and give some other city or town a bargain.

FOR SALE—Second hand air pressure tank, 24 ft. long, 5 ft. diameter, 5-16 inch iron, 3% inch head, manhole 12x18. Previously used for air pressure only. In good condition. Can be used for any purpose. Write for price. Town of Mediapolis, Iowa, J. E. Berry, Clerk. 432

FOR SALE—One 75 h. p. Murray Corless Engine purchased new by us in 1910, One 125 h. p. Murray Corliss Engine purchased new by us in 1915. Neither of them have been used since Dec, 1920. Reason for selling, put in high line service. Address Town Clerk, Earlham, Iowa.

FOR SALE—Cheap. Rock Island Pump 6x8, has a pumping capacity of 115 gallons per minute; has been in use but a few years only. Can be used to good ad vantage for liget pumping, etc. Address A. C. Harre, Town Clerk, Dumont, Iowa.

FOR SALE—Cheap. Myers Bulldoser Pump Jack, working head from 14 to 20 inch stroke; 2-40 inch Belt Pulleys 6 inch face; good as new. If interested, write to Geo. Harder, Clerk, Keystone, Iowa. 93

WANTED—To communicate with city or town who has or intends to install new cells—and will have the old ones for sale, state all in first letter. C. F. Fitzgerald Town Clerk, Alvord, Iowa,

WANTED—One Ton or Ton & one half Truck, that can be remodeled into Chemical Fire Apparatus. When answering, please state Model, how long been used, & price of same. W. T. Thorp, Baxter, Iowa. 83

WANTED—Fire Bell or alarm—preferably second hand. Book Safe—Fire-proof not less than 18" deep and 48" high—inside measurement,—Preferably second hand. Watchmans time Clock—with at least four keys. E. S. Genung, Clerk, McCallsburg Ia.

FOR SALE—One Fairbanks-Morse 12 horse power engine. Reason for selling, have installed electric motor. Will sell cheap. Edw. Miller, Clerk, Donnellson, Iowa.

FOR SALE—Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, Iowa.

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, Iowa.

FOR SALE—Two Murray Cutting Shaker Grates (36 square feet) both in excellent conition, Price \$50, EaF. O. B. Cars. Address City Clerk, Independence, lowa.

FOR SALE—By the city of Ottumwa, Iowa, one 20-40 HP J. I. Case Gas Tractor, one 8' Aurora Reversible Grader Engine Hitch, one, Russell's Scarifier, fair conditton, one Aurora Rock Crusher, No. 1 size. Price on application. Address M. A. Sheehan, city clerk, Ottumwa, Iowa.

FOR SALE—One two ton elevator 2½ horsepower motor. Can be used in any three story building. L. F. Frye, Treasurer West Foint, Iowa. 222

FOR SALE—One 50 horse power motor Wagner make, two phase variable speed, 600 R. H. M. and one 20 horse power of same make and type, prices \$450, and \$300, both motors in first class condition. If interested write at once to city clerk, Independence Iowa.

222

THE INSIDE STORY IOWA POSTER ADVERTISING

Poster Panels are not to be confused with the old time billboards. A Poster Panel is 25 by 11 feet. Construction specifications call for four upright posts 4x6 inches of selected material set three to four feet in the ground. Three 2x4 stringers are securely fastened for holding the face of the panel which is made in sections of non-rust galvanized coppered steel attached to a frame. The panels are nailed to the stringers with 20 penny spikes. A green moulding is placed around the entire panel face. The entire structure is braced by 2x6 stringers fastened to anchor posts 6x8 set four feet in the ground.

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A Poster Panel is not a fire hazard, on the contrary, the steel facing offers a protection against fire spreading. This is proved by evidence on file in the Association office.

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Poster advertising copy is designed by such artists as Norman Rockwell, Clarence Underwood, Edward Penfield, and Neysa McMein. The Posters are attractive, artistic and educational.

Poster Panels provide an outdoor art gallery for all to see.

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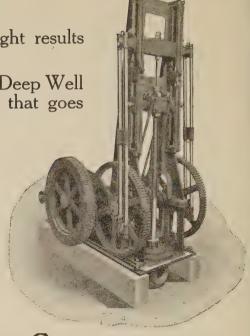
is the most important essential to right results in any line.

A. D. Cook, Inc. have specialized on Deep Well Pumps and manufacture everything that goes into the tube well except the pipe.

Distinctive features are possessed by this pump not found in other crank pumps on the market.

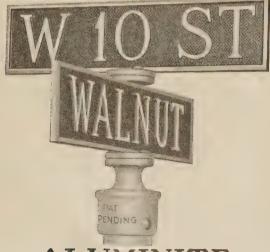
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There is a City or Town near you using the Cook Deep Well Pump.



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They point the way—they tell at a glance. Substantial, ornamental, artistic. Each panel is one solid piece of cast aluminum. Street names are cast in the panel—it's all one piece. Will not tarnish, can not rust. Panels can be set and securely fastened at any angle to conform with direction of the crossing streets. The best and only permanent street marker yet designed. Full information free upon request. Write today.

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Will Build VIBROLITHIC

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Fifteen Iowa cities have already contracted for over six hundred thousand square vards of Vibrolithic for 1923 construction.

This record yardage has been made possible by the existing Vibrolithic pavements over the state.

You can't go wrong on Vibrolithic. It is mechanically constructed under the careful supervision of skilled Vibrolithic operators.

If you reside near any of the above cities make it a point to see Vibrolithic under construction and be convinced.

Granite Top Surfacing Company

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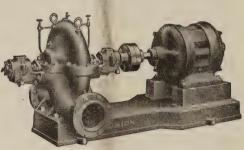
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CONDENSERS—CENTRIFUGALS—COMPRESSORS Steam or Electric

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Over 60 Iowa Cities and Towns use our Road Oils exclusively We also operate a number of our own equipments, applying these materials for those customers

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Prices are now cheaper than they have been for years. The entire cost is only a few cents per
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Have our representatives stop and explain our special materials and methods at no obligations to

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SCHOOL COUNTY CITY DRAINAGE

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Correspondence is invited

Vol. 46. No. 3

December, 1923

Published Monthly

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The exceptionally low mainte-

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Proves there is HIGHEST QUALITY no substitute for HIGHEST QUALITY

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They may cost you a trifle more than others But in the judgment of the majority of Purchasers, As evidenced by their unprecedented sale, They are worth the difference and "then some"



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Superior Pavement

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it is composed of the highest quality of materials so combined as to give maximum stability and wear in a resilient waterproof surface.

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Any Quantity, One Piece or a Car Load, Shipped immediately. Telephone, Wire or Write

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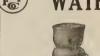
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of Service

also

Meters for Gas, Oil, Air Gasoline, Oxygen, Hydrogen, Acetylene and other fluids.

and
Gas and Water Meter
PROVERS

Pittsburgh Meter Co. East Pittsburgh, Pa.

New York, 50 Church street Columbia, 1433 Main street Chicago, 5 So. Wabash Ave. Seattle, 4038 Arcade Bdlg. Kansas City, Mutual Bldg. Los Angeles, Union Bank Bldg.





THE INSIDE STORY Of IOWA POSTER ADVERTISING

"Tell me the man's ideals and I'll tell you the kind of man he is," said a great philosopher. The principle is applicable to business institutions. Merchants and industrial institutions gain respect and favor through the repute of their code of business ethics—they are measured by their standards of practice.

Iowa Poster Advertising Association members operate under standards of practice insuring in business relations, probity and fair dealing; in public relations, consideration and civic regard; and in welfare relations, a spirit of loyalty and helpfulness.

Read the code of business ethics below which govern the practice of Iowa Poster members engaged in this great advertising medium which is so vital a factor in the economical merchandising of worth-while goods and products.

STANDARDS OF PRACTICE

FOR MEMBERS OF THE POSTER ADVERTISING ASSOCIATION, INC.

- 1. Every Poster Advertising Plant must continue to refuse all misleading, indecent and illegitimate advertising.
- 2. Every Poster Advertising Plant should refuse all advertising which savors of personal animosity ss ours is strictly an advertising medium.
- 3. All advertising contracts should be started on date contracted for.
- 4. Every client should be furnished promptly upon completion of his display, with a list showing all locations and plant owners should at all times assist clients to check displays.
- 5. Every Poster Advertising Plant should be maintained in the best condition possible, both from the standpoint of appearance and stability.
- 6. All locations for poster display should be selected where the traffic is such that it insures the best circulation for the article advertised.
- Care should be exercised by every plant owner in the selections of locations so as not
 to cause friction either with the municipal authorities or the people of the neighborhood.
- 8. A rule of one high-grade class of service to every advertiser, must be rigidly maintained.
- 9. Every effort should be made to constantly raise poster advertising copy to the maxium efficiency in policy, ideas and execution.
- Recognizing the great power of our medium, we should use it for the general good by devoting space to matters of general happiness and welfare.
- 11. We believe in close association among members of our own branch of advertising, to the end that greater efficiency be attained through the interchange of ideas.
- 12. We believe in hearty co-operation between the Poster Advertising interests and all other legitimate branches of publicity.
- We believe in the solicitation of business on the basis of respect for the value of all other good media.
- 14. We believe in dissuading the would be advertiser from starting a campaign when, in, our judgment, his product, his facilities, his available funds, or some other factor makes his success doubtful.

Iowa Poster Advertising Association

J. B. Stewart, Pres.

A. J. Busby, Vice-Pres. Waterloo Fred E. Trainer, Secy.
Ackley

Elbert Payton, Treas. Centerville

The Story of Poster Panels—Not Billboards—There is a Difference.

"IO WA"



Fire Hydrants
Gate Valves

AND

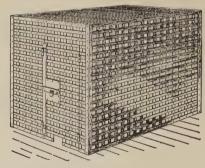
Boxes
Tapping Valves
and Sleeves

Your Inquiries Respectfully Solicited

Iowa Valve Co.

Oskaloosa, Iowa

STEEL CELLS



Many small towns do not have a jail, but often need such a place.

A single steel cell, placed in your town hall, fire station or other place will be all you need.

A steel cell like the above will accomodate two prisoners. It will answer all your needs

Write for catalogue and prices. Also Complete Iail Equipment

Municipal Supply Co.

Marshalltown, Iowa

How About Your Ordinances

ARE your ordinances in such shape that you can tell anything

In many cities and towns the ordinances have not been revised for years and many of them conflict with the state law.

If your ordinances are not in good shape, better have them revised.

Write me for terms.

FRANK G. PIERCE Marshalltown, Iowa

RINGHEIM, WHEELOCK & CO. MUNICIPAL BONDS DES MOINES, IOWA

We Buy Iowa School, County, City and Drainage Bonds

- ¶ You can avoid costly mistakes and delays by using our service.
- We furnish accurate legal proceedings which insures you against technical errors and defects in bringing out your bond issues.
- ¶ Correspondence invited.



FEDERAL ELECTRIC SIREN



Approved by the Underwriters' Laboratory of the National Board of Fire Underwriters.

> Approval dated October 11, 1918

Smith's Garage—quick, before it gets the cars! IT'S THE FIRST FEW MINUTES THAT COUNT

A touch of the button from a central fire box or any convenient location—a shivering shriek shoots through the air. Loud and distinctive above anything else. Day or night it sends the men tearing to the fire house—when seconds count.

Averages only \$2.00 a year for actual current consumed. An occasional oiling is the only necessary attention.

Dependable—economical—pays for itself many times over. Mail coupon now. No obligation.

FEDERAL ELECTRIC COMPANY

8700 South State Street, Chicago, Ill.

Please send full information and prices on a FEDERAL ELECTRIC SIREN for our town.

Name		Official Position	
Street No		City	State
Our town h	as	Population. Our Current Speci	fication
	Volts	CyclePhase.	We have
dill services			

Why He Called It "Portland" Cement

In 1824, an English mason wanted to produce a better cement than any then in use. To do this he burned finely ground clay and limestone together at a high heat. The hard balls [called clinker] that resulted were ground to a fine powder. When a mixture of this dull gray powder with water had hardened, it was the color of a popular building stone quarried on the Isle of Portlandoff the coast of England. So this mason, Joseph Aspdin, called his discovery "portland" cement.

That was less than one hundred years ago.

Portland cement was not made in the United States until fifty years ago. The average annual production for the ten years following was only 36,000 sacks. Last year the country used over 470,000,000 sacks of portland cement. Capacity to manufacture was nearly 600,000,000 sacks.

Cement cannot be made everywhere because raw materials of the necessary chemical composition are not found in sufficient quantities in every part of the country. But it is now manufactured in 27 states by 120 plants. There is at least one of these plants within shipping distance of any community in this country.

To provide a cement supply that would always be ample to meet demand has meant a good deal in costly experience to those who have invested in the cement industry. There have been large capital investments with low returns.

In the last twenty-five years, 328 cement plants have been built or have gone through some stage of construction or financing. 162 were completed and placed in operation.

Only 120 of these plants have survived the financial, operating and marketing risks of that period. Their capacity is nearly 30 per cent greater than the record year's demand.

These are a few important facts about an industry that is still young. Advertisements to follow will give you more of these facts, and will tell something of the important place cement occupies in the welfare of every individual.

PORTLAND CEMENT ASSOCIATION

Hubbell Building DES MOINES, IA.

A National Organization to Improve and Extend the Uses of Concrete

Offices in 27 Other Cities

American Municipalities

December, 1923

Vol. 46, No. 3

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, lowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, • • \$1.00 per year Advertising rates made known on application

"For forms of government let fools contest, What'er is best administered is best." Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

I want to impress on every municipal official the great importance of taking an active interest in the work of the special session of the legislature.

The code revision is vital to every city and town in the state and the only way to be sure that some change in the laws that you are not in favor of is not made is to keep close check on every bill and every action of the legislature.

The legislative committee and the officers of the League will do all in their power to secure the right laws but they cannot do it all and you must do your part.

If you run across any proposed change that you believe is not for the best you should at once take it up with Hon. W. A. Hunt, Ottumwa, chairman of the legislative committee.

Remember that the code is revised only once in twenty years and we can afford to give attention to it at this time.

The League will need a fund to pay the expenses of the members of the legislative committee and to mail reports to the cities and towns.

A large number of members of the League paid into this fund last winter and a request will be sent to those members that did not pay last year, to pay now.

A very few of the members have not sent in the dues for the current year and if you have not sent in your dues you should help the League by doing so at once.

We are making an effort just now to increase the advertising in American Municipalities.

If we can secure four additional pages of advertising we can give four more pages of reading matter so it is to the interest of the members to help in this advertising campaign.

If you have purchased supplies or material of and kind during the past year from a firm that is not now carrying an advertisement in the magazine, send their name in to the secretary and we will present the merits of American Municipalities to them.

The Westinghouse Manufacturing Company have a page in this issue and it will appear during the coming year.

When you are in the market for street lighting equipment be sure and get prices from the Westinghouse Company.

The Bi-Lateral Fire Hose Company advertises a new hose coupling in this issue that should be of interest to every fire department.

Better send and get full information in regard to this new coupling.

More and more of the members of the League are making use of the Information Bureau.

If you want to get the most out of your membership let the League help you in your local problems.

It is always better to consult the League before you take action than afterward.

If you are not absolutely sure in regard to any question, submit your problem to the League and it will probably save you much trouble in the future.

COST OF LOANS

During the twenty years 1903 to 1922 the net bonded debt of Philadelphia (city, county and school district combined) increased from \$52, 693,850 to \$195,306,000—an increase of 271 per cent, whereas during the same period the population increased only 41 per cent and the assessed value of taxable real estate only 140 per With the increase in debt there has also come a marked increase in the amount of taxes that must be raised each year for interest for state tax on bonds, and towards the repayment of the money borrowed. Twenty years ago the annual tax burden for these three purposes totaled \$3,936,894.35, whereas this year that burden will exceed \$15,500,000-294 per cent more than at the beginning of the 20 year period.

Money is borrowed rather than raised through taxation on the theory that it would prove too burdensome to secure that much more money in the latter way. Little is it realized that a continued postponement of taxes to meet expenditures results, after a very few years, in an annual tax for the accumulated debt alone much

heavier than would have been necessary to cover the loan-financed expenditures had they been met out of taxes from the start.

Let us see just how this came about. Let us assume that each year, instead of raising \$1,000,000 more in taxes for needed expenditures, we issue that amount of 20-year 4 per cent bonds on the equal-annual-burden serial plan (a more economical plan than the ordinary sinking-fund plan, yet having the advantage usually claimed for the latter,) and let us further assume that only one-half of the 4 mill state tax would be effective.

The first year we do this we have to raise \$75,600 in taxes for interest, state tax, and principal of the bonds, of which such sum \$42,000 is for interest and state tax and therefore an absolute loss. Each succeeding year the amount required would be progressively greater, until the twentieth and following years when the maximum of \$1,495,142,20 of taxes must be raised for interest, state tax, and principal of the bonds in question. Of this yearly sum \$495,142.20 would be required for interest and state tax and so would be an absolute loss, while the other \$1,000,000 would be needed for the repayment of borrowed money. This huge annual loss and heavy annual tax levy results because it was thought that \$1,000,000 additional a year could not be raised in taxes for necessary expenditures.

From the standpoint of economy alone it is clear that the city should curtail its borrowings very considerably. Wherever possible necessary expenditures should be met out of revenues in the first instance, instead of through loans.—
[Citizens Business, Philadelphia.]

CEMENT PRODUCTION SETS RECORD IN OCTOBER

Production of portland cement in October was the largest for any month this year and incidentally broke all records for a single month. Report of the United States Geological Survey just issued places the total production for the month at 13,350,000 barrels compared with 13,000,000 in September and less than 12,300,000 a year ago. For the ten months ending October 31st, over 114,000,000 were produced exceeding last years record output for the same period by 20,000,000 or 22%.

Home Rule For Cities

Hon. O. E. Carr, Manager Dubuque

Three years ago at Des Moines a very excellent paper was given on the subject of Home Rule for Cities. This topic, however, should be brought before this body again and again, until its principles are embodied in our state statutes.

All cities need Home Rule in order to work out their own individual problems. Particularly is this true of Iowa cities, as our legislators for the most part are more interested in and more familiar with agrarian rather than municipal problems

In this country of ours the state is supreme as it was the original unit of government. The states voluntarily gave over to the nation, certain of their rights and powers. They have also granted certain powers to their political subdivisions.

Cities are said to have home rule if they are able to adopt their own charters working out their own plans of government as seem best to them, subject only to the limitations of the state Twelve states have given such constitutions. powers to cities, some extending them even to villages. They are Washington, Oregon, Arizona, Colorado, Nebraska, Oklahoma, Texas, Missouri, Minnesota, Michigan, Ohio and California. If one asks for results of home rule, he would very probably look to California since that state gave the cities and towns above 3500 population, home rule in 1875. I suppose all of us have smiled at the pride of the Californian. Invariably the city in which he happens to live is beyond criticism, climate ideal, growth more than satisfactory, roads unexcelled, and government wonderful. This seems to be a direct result of concentrating the citizen's interest in his town. He has become familiar with the city business, proud of everything that pertains to her place upon the map.

The degree of home rule varies in different states. In Ohio, for instance a city may draft a charter, pass it by a vote of the people and then have its provisions absolutely nullified by some act of the legislature. All Ohio cities have wrestled, for instance, with the Smith One Per Cent Law which virtually took out of the powers of the cities the ability to levy and collect necessary taxes. But in Colorado, on the other hand, an ordinance passed by one of the larger cities governs the people of that city regardless of state law. Their supreme court has upheld this proposition.

Liberties granted to cities by states vary so greatly in the several states and legislation is so confusing that I sometimes think government in some of them exists only by force of habit and natural law, and in spite of every obstruction that a willing legislature may devise. In Massachusetts, for instance, an act of the state legislature is necessary to change the time and place of holding a council meeting in a remote village.

In Iowa where we have infinitely more liberties than Massachusetts, such limitations both seem, and are ridiculous. But when the liberties of Michigan municipalities are compared with our own, the contrast becomes as great as that afforded by Massachusetts and Iowa.

Home Rule means, not only the adoption by the city of a charter granting specific powers but rather it means the granting to cities, general powers, in order that any city may work out its own plan for its own needs in the way that seems best suited to its peculiar local conditions; that it may meet its many problems free from state intrusions. It goes without saying that all cities and their accomplishments should be open to state inspection and criticism.

The state should permit every city within its boundries to be a self regulating and self-governing body. The relation of the state to municipal government should begin and end with the grant to the municipality by the state of power to act for itself in every legitimate department and function of local government. Our cities should be vested with power to expend tax money as they will and they should be free to undertake such activities as the citizens and tax-

payers may desire.

In the Iowa state political campaign, the great cry to get votes is that of economy. Yet we see each successive legislature authorize additional inspectors and spend more money for their political fences. We also observe the state tax rate continue to climb.

When we visit the capitol at Des Moines, we hear a great deal about the extravagance of the cities from members of the legislature. And yet, the state tax rate continues to go higher while in many cities it is being lowered.

We hear much too, in Des Moines, about the incompetence of our city councils. Yet all that is necessary to get any bill through the legislature is to assure its members that the measure has the solid backing of some organization controlling a certain number of votes and away she goes regardless of the need or justice of the measure and regardless of the kind of organization that is backing the measure.

We are all inspected to death from Des Moines. The hotel where we are stopping is state inspected, likewise the restaurant where we get our breakfast, the gasoline filling station where we get gas for automobiles, the scales where we weigh our potatoes, the milk and butter we have for breakfast, the grocery store where they are purchased and the factory where our men work.

Nor is this all: If we want a little recreation and go to the woods the state appointed game warden is on our trail and if we take to the water to catch some fish, along comes another state appointed game warden to measure them.

And all this in a Democracy: This is paternalism gone wild. Those legislators who objected to more Federal aid for roads because they objected to paternalism are still ready to pass on paternalism of a worse type to the subdivisions of the state.

It would not be so bad if the state inspectors were better than could be supplied locally. There have been, however, hotel inspectors who were interested in hotel register companies. If you are a hotel keeper you buy his register and you are passed. If you use some other man's registers you are out of luck. Other state inspectors are much more interested in securing convictions than they are in the enforcing of the

law, as a conviction redounds to their credit, while strict observances of the law does not give them as good a record at Des Moines.

Laws passed by the legislature should be general in character and not specific. For instance, cities should have the right to establish and maintain fire and police departments. The law should not state the number of officers nor make any limitations. The officials of the city are the ones to determine how many are needed, and they too, are the ones to determine best whether a chief can be secured from the force or whether the best interests of the people are served by securing an experienced man from outside.

Cities should be given the right to pave streets or lay sewers directly without letting this work out by contract in case they are able to do it better and cheaper than the contractors. The contractors are only human and sometimes they are more interested in making money than they are in rendering a public service. Cities should also have the right to lay water mains and assess the cost to the owners of abutting property should they desire to do so.

Cities should have the power to license and regulate any business, occupation or profession. Then we could decide what lines of endeavor we desired to license or regulate. Now we first ascertain whether or not the legislature has given power to regulate certain business, and perhaps we find out that power is lacking in that business, which needs regulation most, Soft Drink Parlors.

These are some of the things that a city should have the right to do and our cities would have the right to do if we had our full measure of Home Rule. In general, a city should be given power to do whatever it wishes to do within reason with limitations by the constitution as to indebtedness, whether it is giving band concerts, improving the river front or maintaining a public playground.

What a fine thing it would be for our legislators themselves, if they could realize their high position as lawmakers and make general grants of power to our cities instead of spending all their time trying to pass city ordinances. They would gain the the time in their brief session to frame and discuss needed laws of general application. They would be able to escape political log rolling, the method by which laws are passed, "You vote for my local bill and I will help you when yours comes up."

There is the matter of education. The state has ordained that every child should be given a good common school education. But it should be within the power of every city to go as much beyond the requirements of the state as it wishes even to the extent, if it seems desirable and advisable, of establishing a city college or a city university. This is, of course, an extreme view but it illustrates local and not, a state problem.

In the same way the state should establish minimum requirements regarding public health activities. The city then should come up to that minimum and then go as much beyond it in any particular city as seems necessary and advisable.

Our cities themselves are undoubtedly somewhat at fault in giving the legislature the wrong idea of what we want. Last winter a bill was introduced in the legislature giving to cities and towns the right to lay water mains and provide for assessing all or part of cost to the owners of benefitted property. But we did not stop there. Dubuque wished to refund amount assessed whenever the owner of the property became a water user. Some other city did not wish to make any refund. Some other city wished the control of extensions as made to be in the hands of the Board of Trustees, and another city had no Board of Trustees for the waterworks, and so on. Then the Secretary of a State Contractors Association did not want this extension work to be done except by contract. The result was that no law was passed. If the cities had been agreed on a general grant of power, it is probable that we could have overcome the objections of the contractor's representative and that we would have been enabled to have a law to-day which all cities could use in the way they wanted to use it.

An address by the governor of New York as long ago as 1911, said: "The fundamental principles of democracy must be applied to city government. Our cities must be emancipated from state control. They should be self governing committees in the full meaning of the term. Home Rule and local self government are accepted as theories in our system but in practice

there is not the slightest application of the theories.

"If Home Rule and local self government were fully and permanently established mistakes would doubtless be made in the government of our cities. The mistakes, however, would be made by the people themselves, and correction would quickly follow.

"The state should permit every city within its boundaries to be a self governing community. The relations of the state to the municipal government should begin and end with the grant to the municipality of power to act for itself in every legitimate department and function of local government. The problems of city government may be numerous and complex but they can never be solved from Albany or any other state capitol. They must be met and solved where the problems exist, by the people who know and understand them."

We of the present time, 1923, twelve years later, realizing even more than he, the necessity for going over civic liberties say, most heartily "Amen."

SPECIAL SESSION

Every city and town, and especially every city, in the state should keep in close touch with the works of the special session of the legislature that begins the first of December. The mayor or someone who will take the time, should be selected to look over every bill introduced and read the senate and house journals each day. On the payment of seven dollars to Robert Henderson, superintendent of printing, all bills and the journals of each house will be mailed as they are printed and every city should subscribe to at least one service. The council at its first meeting should instruct the clerk to send in the subscription in order that you may get the service from the beginning. The legislative committee of the League will do its best to check up on all actions of the legislature but without the active support and help of all the cities and towns the greatest good cannot be accomplished without the help of every interested official. The code revision is of the greatest importance to the municipalities of the state and every one should take an active interest in this coming session of the legislature. Send in your subscription to Robert Henderson, State House, Des Moines at once.

Motor Bus Law and Gasoline Tax

Hon. A. E. Gnagy, Manager, Waterloo.

Transportation by means of motor carriers is comparatively new in the state of Iowa. This mode of transportation is yet in its early stage of development, it being scarcely three years since the first motor busses were operated in this state. In many sections they have not yet put in their appearance, consequently only a few of the cities and towns in Iowa have been interested in motor bus regulation. Those who have been interested, that is those cities and towns into which or through which these busses operate, have had a battle on their hands practically ever since the busses began operation.

Until the passing of chapter 97, laws of the 40th general assembly, there was no statute giving cities any power or authority to regulate motor carriers, other than to compel them to comply with the requirements of local traffic regulations. Some individuals and firms were perfectly willing to submit to any reasonable regulations such as licenses, routing and schedules, while others took the attitude that as long as the cities had no authority for such regulation under the statute, they would not submit to any regulation. Various ordinances were passed by as many different cities and towns in an effort to regulate this business-the cities taking the stand that in view of the fact that these motor carriers were using the public streets for private business. they should pay a license to assist in maintenance and upkeep of streets over which they travel. Among other things these ordinances provided for the licensing and routing of the motor carriers; the regulation of their schedules; required them to file bonds for the protection of life and property and in some cases required that motor busses should not travel streets on which street railway tracks were located. Nearly every city that passed such an ordinance sooner or later got into trouble through the refusal of the motor carriers to comply with its terms. Numerous law suits were tried, one court holding that the city had the right to regulate this sort of transportation and another handed down an opinion to the contrary. The latter case was appealed to the Supreme Court and near the close of the session of the 40th general assembly, the Supreme Court of Iowa handed down an opinion affirming the opinion of the lower court but did uphold the ordinance in question, that of the city of Mason City, in every particular with the exception of one section which provided that for each motor bus operated the company must file a bond in the amount of \$50,000. This the Supreme Court held to be excessive to the extent that it invalidated the entire ordinance.

Thus it will seem that any city or town, by establishing an amount for bonds to be filed that was reasonable, could have regulated motor carriers in almost any way they saw fit without any law being passed by the 40th general assembly.

However, nearly every city and town that had had experience with motor carriers was interested in the passing of a law in order that there might be no question about the regulation of motor busses and much work has been done in the preparation of a bill providing for such regulation before the Supreme Court handed down its opinion in March 1923. As early as June 1922, a bill had been prepared by a committee representing the railroad companies, which, to all appearances had for its object the curtailing if not eliminating of motor bus trans-Among other things it provided that portation. the regulation of motor carriers should be in the Railroad Commission. Among other things this bill provided that before a motor carrier could operate, it must obtain from the Railroad Commission a certificate of convenience and necessity; that it must prove that its operation would promote the public convenience. It also provided for an exorbitant tax of one cent per ton mile for pneumatic tired vehicles and one and one-half cent per ton mile for solid tired vehicles. It does not take much figuring to arrive at the conclusion that this tax alone would put any motor carrier out of business unless they in turn charged an exorbitant fee for their services.

The Legislative Committee of the League of Municipalities prepared a bill which was submitted to the committee on motor vehicles in both the house and senate. This bill placed the regulation of motor carriers in the highway commission of the state for the reason that the commission felt that the highway commission was in a better position to fairly and justly regulate transportation of this kind than the railroad committee. This bill did not require the showing that the public convenience would be promoted, but was designed with the sole purpose of making it possible for every responsible person, firm or corporation desiring to enter the field to operate their motor busses and to give this new means of transportation every opportunity to develope subject to reasonable regulations. It required them to file bonds for the protection of their passengers and property; to comply with such rules and regulations as the Highway Commission might prescribe and to pay a license, the amount of which was to be determined by the Highway Commission because it felt that the Highway Commission was in a better position than anyone else to determine what was an adequate license. It provided that the license should be paid to the Commission and should be turned eyer once each month to the county treasurers in the counties in which the motor carrier was operating and that the money so collected should be allocated to the various city and county road districts in the proportion that the number of miles of public highway used by the motor carrier in any one district bore to the total number of miles used within the county.

After several hearings on these bills and after much discussion in both the house and senate and after various amendments were proposed and some of them adopted, chapter 97 of the laws of 40th general assembly was finally enacted.

This law briefly provides for the regulation of motor carriers by the Railroad Commission; that all charges made by the motor carrier for services rendered shall be just, reasonable and non-discriminating; that before beginning operation the motor carrier must first obtain from the Railroad Commission a certificate authorizing such operation; that before such certificate shall be issued, the commissioners shall, after public

hearing make a finding that the service proposed will promote the public convenience; that if such finding be made the commissioners shall issue a certificate; that if such findings shall be not made, they shall refuse such certificate, but that a certificate shall be granted when it appears to the satisfaction of the commissioners that the applicant was operating in good faith on the 14th day of April, 1923; that the commissioners shall adopt rules governing the procedure to be followed in the filing of applications and in the conduct of hearings upon such applications; that an appeal may be taken from an adverse decision of the commissioners to the district court in any county in Iowa in which any portion of the motor carrier's route is located; that cities and towns shall have power by ordinance to adopt general rules of operation and to designate streets or routes over which the motor carrier shall travel; that each motor carrier shall pay a tax of 1/8 cent per ton mile for pneumatic tired vehicles and \(\frac{1}{4} \) cent per ton mile for solid tired vehicles; that each motor carrier shall file with the commissioners a liability insurance bond in the amount of which to be determined by the commissioners; that the taxes paid by the motor carriers shall be certified by the commissioners to the county treasurers of the counties through or in which any motor carrier is operating, the tax due from each motor carrier each month and that the county treasurer shall allocate to the various city and county road districts these funds in the proportion that the number of miles used by the taxed motor carrier bears to the total number of miles used within the county; that for violation of any provision of the law, the motor carrier shall forfeit its certificate.

The railroad Commission has adopted a set of rules governing the application for certificates, the conduct of hearings, fixing the amount of bonds varying from \$5,000 to \$50,000 depending upon the passenger carrying capacity. It requires the motor carrier to furnish it with printed or typewritten schedules, tariffs, records of receipts and expenses; provides that each motor carrier shall maintain its equipment in a safe and sanitary condition; provides that all drivers shall be licensed chauffeurs, and various other regulations too numerous to mention.

In my opinion the law as a whole is a good one. I am not satisfied that the Railroad Commis-

sion is the proper body to regulate these busses and I do not believe it should be necessary to show that the public convenience would be pro-As stated at the outset, this method of transportation is in its early stages of development and I believe it should be allowed to develope unhampered by too stringent regulations and I believe that the regulatory body should be required to issue a certificate regardless of public convenience and necessity if the motor carrier can show that it is able financially and otherwise to comply with reasonable regulation. I believe the ton mile basis of taxation is just and fair, as I know of no other way in which these carriers could be taxed equitably for the use of the streets and highways. Under this plan the carrier pays according to the number of miles run, where under any other plan a bus running 10,000 miles and would pay as much license as one running 50,000 miles and would use the highways only one-fifth as much.

It is too soon to properly judge this law. The Railroad Commissioners themselves are undecided as to the best method of administering the law and the proper development of motor vehicle transportation under this law is problematical. I believe the Railroad Commissioners are honestly endeavoring to justly administer the

The Manhattan and S. L. Collins Oil Companies have made application to restrain the Railroad Commissioners from enforcing the provisions of the law but Judge James W. Applegate of Guthrie Center has held that the law is constitutional. It will undoubtedly be appealed to the supreme court.

There is much more that might be said about this law but in the brief time I have had to cover the subject, I have tried to cover the main points and give a brief outline of its provisions.

Just before and during the session of the 40th general assembly there was considerable agitation for the law providing for a tax on gasoline. There was considerable support for a measure of this kind from organizations such as the highway commission and others, the object being a means of deriving more money for improving highways and on the supposition that the motor vehicles, which consume a large portion of gasoline and which use the highways, would

pay the large proportion of this tax.

Senate File No. 273 was introduced, which provided for a tax of two cents a gallon on all gasoline sold in this state and also provided for the establishing of a primary trunk road system, comprising all the primary roads of the state as established by the Highway Commission and made it the duty of the Highway Commission to hard surface those roads as fast as funds from this tax were available, but no expenses or grading, drainage, cost of right of way or other expenses necessary in preparing the road bed, could be paid from the primary trunk road fund. This bill also provided that where any road in the primary trunk road system had already been hard surfaced and a part of the cost assessed to abutting property, the property owner was to be reimbursed; also that the state treasurer should pay by April 1st each year, \$5,000 to each county for the county road fund, and \$1,000 to each township for the township road fund, from the motor vehicle fund.

The bill was amended to provide a tax of two cents per gallon on all derivaties of petroleum or natural gas except kerosene, kerosene was used in the operation of motor vehicles. It was further amended to provide that one-third of the funds derived from this tax be distributed as other primary road funds and two-thirds among the various counties of the state in a ratio that assessed value of property in the county, exclusive of monies and credits, bore to the assessed value of all propery in the state, to be used by the supervisors in grading and draining secondary roads. The money was to be collected by the Secretary of State who was to immediately turn the funds into their proper channels.

Counties having cities of 9,000 or over, were, under this amended bill to apportion funds for secondary roads among townships in the ratio that the assessed value of property in the township bore to the assessed value of property in the county and provided that money spent in cities should be under the direction of the city council.

The bill received a bare majority in both the Senate and House and was vetoed by Governor Kendall for the following reasons- the ostensible purpose of the bill was to require those

(Continued on page 100)

Accounting of Municipal Public Utilities

Hon. Allen Munn, Municipal Accounting Department, Des Moines

I believe a uniform system of municipal utility accounting should be added to the state report, so that valuable data pertaining thereto, and a comparison of such utilities could be made in such report.

Utility accounting has not been placed under a uniform system in this state, and we cannot say that we have a complete uniform accounting system until they are included.

It is true that our annual report mentions utilities and require a report of cash received and disbursements therefrom, but no report of detailed plant operation.

The state auditors office has already recognized the need of the establishment of a uniform system of utility accounting, and has taken some measures in that direction.

If in the future the state should require a detailed accounting of municipally owned utilities as to the financial result of their operation, it should also require in some measure a report from the privately owned utilities.

The municipal utility accounts for each utility owned and operated by the city, should be kept distinct from other city accounts, and kept in such a manner as to show a true and complete financial result of the operation, which should embrace and include all assets, liabilities, revenues, and expenses, actual cost to the city of each utility owned, cost of extensions, additions, cost of maintenance, and all operation expenses of every description, sundry stock account used for maintaining and extending the plant, also sale stock account of general supplies to be furnished to consumers of service. In fact, a complete plant record should be kept so that a comprehensive report covering in detail the utility plant operation to the effect that the actual cost of producing a kilo-watt of light, or 1000 feet of water or gas can be shown upon which to base an intelligent charge to consumers and the establishment of the proper rates therefor; without such an accounting, the utility is being operated in a blind and guess-work way, and the consumer and tax payer are not being well served or their interest guarded.

A tax levy made for light or water works or any municipal utility should not be considered as earnings of the plant, as often times when this is done, if the real facts were known and the levy discontinued, a plant would be operating at a loss.

The use of accounting in judging efficiency of utility operations is dependent upon a correlation of accounting and statistical data; the accounting records alone do not provide a perfect standard to base such judgment upon, because of the absence of the profit and loss test in municipal operation, none the less there is urgent need of comprehensive reports covering the operations of the utilities; and the forms of such reports should be designed to answer all questions vital to the operation of the plants, and made previous to the designing of the uniform accounting system.

Owing to the great difference in size of utilities, it would be necessary to have two classes of reports prepared. Under class A, utilities operating in cities having a population of 7,000 or more, and all other plants under class B.

The Auditor of State should be given the power to prescribe the forms of all record books, and as to the manner in which they shall be used for the utilities.

Each utility should furnish to the State Auditor an annual report, showing in detail:

- 1. An operating and non-operating revenue
- 2. An operating expense statement, such as salaries and wages, material and supplies, and miscellaneous expense.
- 3. A maintenance expense statement for upkeep such as repairs or replacements.
- 4. A betterment statement, such as new improvements, etc.
- 5. A cost statement, showing the cost
 Continued on page 100

Water Works and Water Supply

Charles P. Chase, Clinton

OIL ENGINES VERSUS STEAM OR ELECTRIC

The unprecedented price of coal during the past five years and the difficulty and uncertainty of obtaining it, has made operators of water works plants and city councils, on whom has devolved the responsibility of providing the money to pay for fuel, think very seriously about abandoning coal as a fuel and adopting oil or electricity as a substitute. Of course where electricity has to be produced by small coal burning plants it is at once eliminated from the comparison except under unusually favorable conditions, so that investigation generally reverts to a comparison of coal and oil. Experiments that have been quite extensively carried on in the past few years and improvements that have been made in the construction of oil engines, have enabled us to produce the necessary power much cheaper with oil than with coal in the smaller engines and oil has been easier to get.

There has also been great progress in the construction of oil engines in the past five years, particularly along the lines that will give increased power and less fuel consumption.

In the way of electric pumping, some of the larger electric companies of the state have been extending their power lines so as to take in a number of the small towns and cities and are supplying them with power from their high lines at a less cost than the town can produce it and with a considerable saving in attendance, as the electric pumping outfit can be made almost automatic. Where electricity is used, power should be available from two sources, or if this is not possible, have an oil engine either on the same shaft or arranged for belting to the motor, in case of emergency.

It will pay any town or city burning coal to investigate the oil and electric proposition.

"SHOOTING" WELLS TO INCREASE WATER SUPPLY

With the natural growth of a community and the increased use of water, the time arrives when the question of additional water supply must be taken up and solved. This generally resolves itself into the questions of a new source of supply, additional wells or increasing the capacity of existing wells by deepening, reaming out or other methods.

Within the past few years engineers have been applying the method used on oil wells, of "shooting" the wells by exploding nitro glycerine at the bottom of the well. In hard rock where the water travels in fissures this is generally quite successful, the amount of charge to be used being regulated by the depth of the well, the character of rock to be blasted and surrounding conditions. The charge is easily determined by the engineer experienced in this line of work so that the result is almost universally a success and the capacity of the well considerably increased.

In one recent case of this kind, carried on by this office, the amount of water obtained from some limestone wells was doubled, at a very small cost to the city, by the use of a few hundred pounds of dynamite.

PRICES ON MATERIALS

The price of cast iron pipe still remains high and deliveries slow, with market practically sold up to the first of October. The average price is \$60. per ton in Chicago.

Machinery, pumps and central station supplies can be had at reasonable prices and prompt deliveries, as there is not much work in this line being done. It is a good time to consider the reconstruction of central plants.

IOWA WATER SUPPLY

Up to within a few years there has been but little difficulty in Iowa in obtaining sufficient quanities of pure water for domestic purposess

The state is fairly well supplied with rivers, creeks and springs and in the northwest part lakes and swamps abound with a glacial drift of water bearing gravel and sand. The "Wisconsin Sheet" glacial drift of sand and gravel extends from Sibley and Carroll on the west to Forest City and Eldora on the east, and as far south as Des Moines, and furnishes hundreds of wells.

Most of the water for domestic supply is

drawn from the great gravel bed, from springs, dug or bored wells, or shallow drive wells; in many places a two inch-pipe driven down about 150 feet will give a flowing well.

This water is clear, pure, but generally hard and frequently sufficiently impregnated with iron to leave a brown stain.

The "Jumbo" well of Belle Plaine and the numerous other flowing wells in Belle Plaine and on the surrounding farms, are of practically the same origin, deriving their water from a large area of water bearing gravel, known as the Belle Plaine Artesian basin, which is simply a gravel bed of wide extent. The force and flow of this basin is tremendous, but lowered so fast from the open flowing wells the people formed an association to preserve the flow.

The rivers in Iowa are generally paralleled with a wide water-bearing area, one to three miles wide, of sand ten to twenty feet deep. These are really underground rivers, with the same nominal direction of flow as the open stream, but purer, softer and but very little affected by storm and surface conditions.

Practically all the rock in the state is waterbearing and in the eastern half comparatively shallow wells in the limestone furnish water for towns and farms, but the supply is not sufficient for the larger cities unless they go deeper or make up from other sources.

At times underground running streams are struck in the limestone, but this is an accident and of rare occurrence. However its location or amount widely varies and cannot be depended on. (This applies only to the shallower wells under 500 feet)

Southern and southwestern Iowa has the least favorable conditions for domestic water supply. Here the creeks and rivers are not so numerous and their valleys are narrow and steep. The subsoil is mostly a joint clay through which very little surface water finds its way and the coal and other mineral conditions affect the water in the shallow rock wells. The depth of the drift or overlying earth is also great and the incline of the Artesian sandstone puts it at almost a prohibitive depth.

Many towns and individuals have resorted to artificial surface reservoirs but owing to small capacities of these and insufficient areas of watersheds many communities have been without adequate supplies in a dry seasons, with practically no water on hand for fire protection.

Eastern Iowa is well within the Artesian field which includes Minnesota, Wisconsin, Iowa, Illinois and part of Missouri. The intake or water source of this great area is in southern Wisconsin and southern Minnesota where great ledges of porous sandstone absorbs the water from creeks, rivers, swamps and lakes whence it is bourne along to the south, southeast and southwest, seeking a lower level. Investigations of our geologists and the record of deep wells have located this so accurately that an estimate can be made that will be accurate within a few feet of the depth at which this artesian water will be found, and the probable quanity and quality.

The principal sandstones from which this supply is derived are commonly known as the Potsdam and the Saint Peter, each with its several divisions. Water can always be found in these strata. Occasionally sufficient is found higher up in the carboniferous and other formations, but it is not to be depended on. In northeastern Iowa the depth of these wells is from 1000 to 1200 feet; eastern Iowa, 1500 to 1800; southeastern, 2000; central Iowa, 2200; and farther west, 2200 to 3000. In eastern and southeastern Iowa, many of these wells flow copiously. In 1910 a 1500 ft. well was opened up at Bettendorf that flowed one and one-half million gallons per day.

INCREASING THE SUPPLY

Having now considered sources of supply, the next point of most interest is more water, or how can the supply be increased or conserved

With the exception of a few cases, the method of taking water from its sources in Iowa is in a very crude and undeveloped state.

The drift wells are pumped with the ordinary deep well cylinder, which is expensive to operate and of very limited capacity with a separate pump to each well. This could be increased indefinitely by batteries of wells, with a large suction pump, or by several wells led to a pit, by water tunnels with a pump set in a shaft, collecting galleries, etc. Large collecting galleries could be built along the river beds, as has been done at Des Moines and Pella. Dubuque has a battery of wells drawing from a sand bar twenty feet below the bed of the river. Until within the last few years but few rivers have been

dammed to save and use the flood waters.

The underground flow can also be impounded and held back for use. Waterloo and Sioux City have installed centrifugal pumps on their artesian wells, greatly increasing the flow.

Clinton uses air lifts on its artesian wells.

The water of Spirit Lake could be piped to Des Moines and other cities. Southeastern Iowa will probably have to reserve watersheds to save the spring rains; the rainfall of southern Iowa is about thirty-six inches annually, which shows what a tremendous waste could be saved.

I believe it is safe to say that almost any existing water supply in Iowa can be quadrupled by the proper methods. Of course, increased supply means some expense, but if properly planned it can be made permanent and lasting, and certainly there is no occasion for the alarm sounded by the newspapers, that the water supply of Iowa is giving out. It is simply a case of improper methods and not utilizing the supply nature has provided.

PAINTING THE WATER TOWER

If a steel tower and tank are kept thoroughly clean and painted, they will be almost indestructible.

Water towers rust out but do not wear out, so if you would have your water tower outlast the life of the bond issue which paid for it, keep the tower well painted.

Motor Bus Law and Gasoline Tax

(Continued from page 96)

who use the highways to contribute to the construction and maintenance, but that it failed of its object because it in no sense imposed a privilege tax for the use of the roads but was a plain and palpable sales tax; for the further reason that it sought to tax all derivaties of petroleum and natural gas except kerosene devoted to purposes other than the operation of motor vehicles: for the further reason that while it remitted the present county and township road levy the farmer would still have to pay a heavy license. though the tax stipulated was two cents per gallon, it would in all probability be twice that amount by the time the consumer paid it and it was Governor Kendall's opinion that the public was in no position to bear this additional burden.

FIGHT THIS SACRIFICE

Did you know that every minute of the year we pay out \$1000 for fire losses, and that one human life is consumed by flames every half hour? A thousand dollars a minute—two lives an hour—terrible toll, and a needless one.

It has been estimated that 1500 fires break out in the United States every twenty-four hours. Every one of these fires is caused by some improper condition, usually one which is the result of negligence, and which can be removed with little or no difficulty.

Anyone who allows rubbish to accumulate in or near a building is just as negligent as he who carelessly tosses his glowing match into the pile. Electric irons and other appliances, when left turned on, cause many fires. The use of wooden boxes for ashes is like sending an invitation to the nearest fire station. Metal containers for matches and for oil mops and dust cloths will prevent many fires. Eighty-five per cent of all fires are preventable—that is, are the result of downright carelessness. Every owner can help cut down this waste by removing these causes around his property.

The exclusive use of fire-safe structures would cut our fire loss to but a fraction of its present figure. And when confronted by the fact that fire-safe construction costs but three to five per cent more than inflamable construction no building owner can justify himself in risking a contribution to our already tremendous fire loss to say nothing of our sacrifice of human lives.

Accounting of Municipal Public Utilities

(Continued from page 97)

paid by consumer.

- 6. An asset and liability statement.
- 7. A profit and loss statement.
- 8. A surplus or reserve statement.
- 9. An inventory statement of stock on
- 10. A depreciation statement, and in addition any information that is necessary for a full and complete report.

The State Auditor should have authority to make an annual audit of the affairs and accounts of all utilities operating in the state.

The Bond Buyer of New York Gives Interesting Figures

As a result of the publication of Secretary • Mellon's letter setting forth the possibilities for government tax-reduction, investors and bond dealers seem inclined to inquire rather carefully into the position of tax exempt securities. Possibly a few holders of tax free bonds feel that Mr. Mellon's eloquent appeal for material lowering of the entire income tax schedule must be accepted as a bearish argument for State, municipal and other exempt issues. While such a conclusion might easily result from a casual reading of the Mellon letter, a careful analysis of the situation suggests that, even assuming Mr. Mellon's program had some chance of being accepted by Congress, tax-exempt State and municipal bonds at current price levels, are fully as attractive as any other securities of investment rank.

Let us go back to the days before there were income taxes, when the market for State and municipal bonds was made by institutions and when private investors bought bonds purely on the basis of security. It will be recalled that high grade State, city and county bonds sold in those days from 25 to 50 points in basis lower than high grade taxable bonds.

For instance, in 1901 city of Boston bonds sold on a 3.10% basis and Atchison, Topeka & Santa Fe 4s of 1995 sold on a 3.85% basis. In 1905 New York City bonds sold on a 3.45% basis and Union Pacific 4s on a 3.75% basis. In 1910 Detroit, Mich., bonds were selling on a 3.40% basis while Morris & Essex 3½s were worth a 4.10% basis.

Now look at the appended list of ten high grade rails and ten high grade State and municipal bonds and note the basis on which these two classes of bonds, one taxible and the other exempt, are now selling (the bases are as of Nov. 14th quotations:)

TAXABLE BONDS

Yield	%
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Atch. Top. & Santa Fe 4s 1995......4.50

Union Pacific 4s 19474.5
Chic. & Northwestern 4s 19964.5
Morris & Essex 3½ s. 20004.5
Illinois Central 4s 19514.7
Pennsylvania 4s 19484.7
N. Y. Cent. & Hudson River 3½s
1997
Northern Pacific 4s 19974.8
Southern Pacific 4s 19554.8
Chic. Bur. & Quincy 4s 19584.8
Average 4.669
TAX-EXEMPT BONDS
New York City 4½s 19574.2
State of W. Virginia 4½s 19474.4
State of Kansas 4½ s19404.4
State of California 43/4s 19624.4
Dallas, Tex. 4½s 19634.5
Detroit, Mich., 5s 19494.5
Los Angeles, Cal., 43/4s 19634.6
Akron, O., 5 1/4 s 19474.6
Jacksonville, Fla., 5s 19484.6
State of South Dakota 5s 19434.7
Average 4 500

Tax exempt bonds have never reached a basis, even when tax rates were at the peak, which fully reflected the value of the exemptions they have enjoyed. To-day on a price level far below that reached when the sq-called tax-exempt buying was at its height the spread between taxable and tax-exempt bond prices is so slight that it does not even fully measure the difference in security which is in favor of bonds of states and in larger cities and counties.

Until about March first of the current year municipals were selling on a tax exempt basis. At about that time, private investor support deserted the market and the subsequent decline has brought state and municipal bonds down to a level where in addition to the tax-exempt buyers, the sort of buyers who have in earlier years made the market—institutions—are again actual customers for all the bonds that are likely to be offered to them, assuming, of course,

that the basis at which they are offered compares favorably, as it does to-day, with liberties and with the highest grade taxable issues.

The private investor is still and will continue to be a very real factor in the municipal market. Even if we assume a reduction in the surtax rates to a maximum of 25%, with a 6% normal tax, the \$100,000 a year income man would have to realize a 61/2 % vield on taxables to equal a 4½ % state bond, which means a real sacrifice of security. If income were but \$50,000, the taxable bond equivalent of a 4½ % municipal investment would have to show a return of better than 5½%. And it might reasonably be added. there are thousands of private investors who have recently become acquainted with municipals purely as a result of the desire to avoid taxes. but who will continue to buy such bonds because they now appreciate their inherent safety.

WHO'S THROWING BRICKS?

Twelve millions of dollars is a lot of money to put in a sewer and the Board of Public Works is right in thinking that the people of Los Angeles should have every opportunity to scrutinize the bids and contracts as they are let.

We found among many other contracts, that one had been let last month for 270,000 sewer brick. Four bids had been received. The brick must, according to terms of the contract, be such as to pass the prescribed tests for compression and the brick dealers who bid on the contract, were required to sign and did sign a "non collusion" clause, guaranteeing to the city that in making their bids they had not "played together."

Well, hère are the bids:

Santa Monica Brick Company \$5467.50
Simons Brick Company 5467.50
Standard Brick Company 5467.50
Western Brick Company 5467.50

The Board put four slips of paper, each containing the names of one of the above brick companies, into a hat, had some one draw out one of the slips and gave the contract to the company whose name was on the slip drawn. We were informed that none of the companies objected to this manner of letting the contract.

Did the brick dealers mean, in signing that "non-collusion" cause, that they were not "playing" but just "working" the City together?

One would be almost justified in suspecting that there is truth in the rumors that these same brick dealers are behind the suit which has been brought to invalidate the outfall sewer bonds. The sewer, you know, is to be constructed mostly of cement, it would take some fifty million brick, if brick were substituted for cement, and fifty million brick, at the price of the 270,000 bought by the City on the above "non-collusion" plan would mean over a million dollars to divide among the dealers

To insure "non-collusion" among brick dealers, put the City and County prisoners to work in a municipal and county brick yard. [Municipal League, of Los Angeles.]

SALVAGING OLD BRICK PAVEMENTS

Finding often times that old brick pavements in fair condition can be utilized as bases for new streets at a great saving in the cost of construction, highway engineers in many localities are adopting the policy of salvaging old brick pavements by surfacing with asphaltic concrete or sheet asphalt. I wo years ago, for instance, a contract was let in Oil City, Pa., for resurfaceing a number of old brick streets with sheet asphalt and results have been very satisfactory. With one exception the brick pavement had been laid on a gravel base. In all cases the surface was very irregular and contained many pot holes. All the low places were filled with a dense asphaltic concrete which was found superior for this purpose to the ordinary binder mixture. binder course one inch thick was laid over the entire pavement but it differed from the ordinary binder since it contained about 20 per cent of limestone screenings. The asphalt course, next applied was one and one-half inches thick. The addition of the limestone screenings to the binder proved very effective, since it formed an asphalt concrete of great density and stability. After two years of hard usage the rejuvenated pavement has suffered no distortion even from five ton trucks.

Statistics show that about \$16,000,000,000 is invested in the public utilities of the country; over four times as much as in the automobile business and over ten times as much as in the meat packing business.

Information Bureau

Questions Answered Free for Officers of Members of League of Iowa Municipalities

R. W.—Would like to know the distance that the law requires a hog house to be from a school house.

There is no state law fixing the distance a hog house must be from a school house. The council acting as a board of health can adopt any reasonable rule in regard to this, that they desire.

C. L. W.—Number 9 highway passes through the main street of our town and is at present being graveled by the state highway commission, can you tell us who is responsible for the care and upkeep of this highway within the corporation.

Under the present law, the town is under obligation to maintain a paved highway after it is built. There is agitation, however, to have the county or highway commission maintain these roads, and the chances are that in the near future a law of this kind will be passed.

A. V.—I would like to know if the marshal is entitled to compensation for putting up quarantines and releasing the same; as I understand the township clerk receives two dollars for putting up quarantines and releasing them.

There is no provision in the law that I know of providing that the marshall shall receive compensation for putting up and taking down quarantine signs. In fact the law makes it the duty of the mayor to place these signs or have them placed, and in carrying out this power or duty, the mayor usually has the marshal do the work.

C. F. W.—Will you kindly advise me how long it is necessary to keep assessors books.

I cannot find any provision in the law stating the time that it is necessary to keep the assessors books, but I think it is the general plan to keep these books indefinitely. They are a part of the town records, and should be retained the same as any other records of the town.

F. W. D.—We have a vacancy in the office of assessor. Can the council appoint the clerk to fill the office of assessor for the unexpired term and also have him hold the office of clerk? In other words can one party hold the office of assessor and clerk at the same time.

The council can fill the vacancy in the

office of assessor, but in my judgment, a town clerk cannot act as assessor during the time he is holding the office of clerk. The attorney general in December 1915, gave an opinion that the town clerk and town assessor are incompatible, and cannot be held by the same one. By that, if one man should hold the two offices, his actions would probably be legal if they are not questioned.

A. G.—The council here are desirous of having an old building moved. It is a frame building with no windows or doors in it and in the business district, but there is a mulct tax of \$600. against it. What they want to know is whether they can declare it a nuisance and have it moved, and if so, what is the proper procedure.

The best way to secure the removal of old buildings that are probably fire hazards is to take the matter up with the state fire marshal at Des Moines. If you will write the state fire marshal asking for one of his men to come to your town, he will no doubt send such a man and this man will serve the proper notice for the removal of this building. The council cannot declare the building a nuisance, as the courts must decide as to whether or not a certain condition constitutes a nuisance, except in the cases where the state law declares such things a nuisance, but I think you can secure the same thing by taking the matter up with the state fire marshal.

J. H.—Is a mayor justified in refusing to sign or put the seal on a warrant where the bill has been allowed by the council but where there was no authority for contracting the account in the first place.

I am of the opinion that the reason the law is as it is, that is giving the mayor the custody of the town seal and providing that a warrant is not legal unless sealed with the town seal, for the purpose of giving the mayor some control over the finances of the town. If a mayor believes that a bill allowed by the council is unjust or unlawful, I would think that it would be his right and his duty to refuse to sign it. The mayor cannot veto the allowing of a bill, but by

not attaching the seal to a warrant he does in reality have the right of veto as far as the allowing of bills is concerned,

J. H.—Can a man drive a herd of cattle on the public highway after dark without a light, or is it necessary to have a light or lights in doing so, for we have had a case where a car drove into a herd of cattle and killed one and crippled another.

I know nothing in the law that requires a man driving cattle on the public highway to have a light. Cattle were driven on the highway a good many years before the automobile was ever thought of, and in my judgment it is up to the automobile to look out for cattle on the highway. Where a man driving into a herd of cattle it is of course not a public question, but a question between the driver of the automobile and the owner of the cattle.

C. C.—We are wanting to know what kind of a turning post we can put in the street. One of the streets is a primary highway also a state road. Could we put a post in the ground so it could not be carried away and how high could we have it with the words, "turn to the right," on the top.

In my judgment it is against the law to place a permanently fixed post at a highway intersection. It is the duty of the town to keep the streets free from obstructions, and it does not seem reasonable that the town would have a right to place an obstruction in the middle of the street. The popular device seems now to be an iron covering about six inches high placed at the intersection, that an automobile can run over but that will fix the center of the intersection. I would advise against placing anything but one of these lower markers in a street intersection.

W. A.—As town clerk, I have taken the matter of increasing my salary, up with the council at a regular meeting; showing them letters from clerks in neighboring towns of our size and population, whose salary is at least 75% higher than mine.

My request was turned down for the reason that the present administration cannot increase their own salary, under a statute now in effect.

The clerk's is an appointive office. Does the statute referred to cover this also? My understanding and interpretation of the rule; is that it is applicable to only those members of the council who are elected by the popular vote.

Section 677 of the code provides that compensation of any municipal officer, either elected or appointed, shall not be increased or dimininished during the term for which he is elected. If you will read this section, you will see just exactly what the law is. The council is right in thinking that any increase in the clerks salary would not apply during the present term, but if the clerks salary should be more, then it is the present council who should pass an ordinance increasing the salary, to be effective when the next clerk is appointed.

W. H. W.—After a town has put in a fill to grade in front of a residence for the purpose of laying a sidewalk, and after two or three years have elapsed the action of the water along the side of the fill washes it out, does the town again have to put in the fill and replace the walk.

The law makes it the duty of the town to furnish the grade for a sidewalk, and this grade ought to certainly be wide enough so that it will not be washed away. I am under the opinion that the town is under obligation to keep the grade under the sidewalk and if the grade is washed away, then the town should replace it. I do not think the town would be required to replace the walk, but in all fairness, if through the negligence of the town in not furnishing a sufficient grade and taking care of the water, a property owners sidewalk is destroyed it would seem that the town should replace it, but the property owner cannot compel the town to do so.

N. A. H.—A lives on south side of alley running east and west and has barn on his property at west end. Alley runs north and south from west end of east and west alley. B lives west of both alleys and has his garage in alley east and west so it is not possible to get to north and south alleys. Can A make the town make B move his garage? Alley is not used generally but will be for the benefit of A to drive past his barn.

A citizen cannot make the council do anything and consequently the man owning the barn on the alley you write about, cannot compel the council to have B remove his garage from the alley. While a citizen cannot compel the council to do anything, yet the state law makes it the duty of the council to keep the streets free from obstructions, it is the duty of the council to keep this alley clear from obstructions, and it is therefore the council's duty to have this garage removed. Under the state law it is a misdemeanor to obstruct any highway, and if the owner of the barn so desires he can file a criminal action against the owner of the garage for obstructing

the public highway.

J. G. C.—In assessing paving to a man that has two lots on paving adjoining, one vacant, the other lot with a house on it. The assessor assesses it as one piece of property. The paving engineer assesses according to law, each part and parcel (special charter) and makes two assessments of it. Can council take these two lots and house as one, or must they put separate values on each lot.

In my opinion each piece of ground should be assessed separately just as your paving engineer has done in making the assessment up.

A. D. C.-We have a closed street or end of a street that has been closed for years and has been fenced in as part of a pasture, and near to the line of a farmer who adjoins town and whose pastures takes in this street end. He has in the past given permission for the school boys to play ball in this end and part of his pasture all of which lays near the public school. Trouble has come about by some one (supposed to be school boys) cutting down a fine apple tree which was on the man's private land but yet was in the way where they were accustomed to play ball but in as much as the tree was cut at night no one knows who to blame. Advise me. can the school board force the street opened where it will be of no use except to use for basket ball games?

The school board cannot force the council to open up a street that is not needed for street purposes. The fact that the school board would want this street so that the children could play in the street would not make it necessary to open it up. In fact even if it were needed for street purposes no one could compel the council to open it up. In fact there is no way I know of in which you can compel the council to do anything. So far as opening up one street and not another is concerned the council would do anything it desires in this way. It is all a matter for the council to decide as to what they want to do and they could do about exactly as they please and no one can make them do anything.

C. C.W. Am asking you to help me in conveying the importance to the city council of keeping within their appropriation made at the start of the fiscal year.

In reply to your inquiry relating to cities keeping within their appropriations I have always held that where a city contracted a debt or obligation or issued a warrant in excess of the appropriation made or in excess of the money on hand, to pay these warrants, that the obligation

is illegal and cannot be collected and that the treasurer cashes the same at his own risk. I believe that the treasurer in cashing a warrant when there is no money on hand to pay the same, cannot hold the city for the amount of the warrant. I am inclined to think that the clerk would be liable under his bond for issuing illegal warrants.

You will see from this that that while there is a certain responsibility on the council, that is, the council are not authorized to allow claims or incur obligations in excess of the income that both the clerk and the treasurer are equally responsible and that the clerk and the treasurer should refuse to do such illegal acts.

Of course this does not apply to such cases where the law provides that the city may anticipate certain funds by complying with the provisions of the law in regard to such anticipation and in these cases it would be perfectly proper to anticipate the funds if the council complied with the law.

H. A. P.—In the case where special assessments are levied against a property and the owner fails to pay the assessment when due, the county treasurer notifies the party that the property will be placed on tax sale. Can the town council enter an agreement with the property owner and accept payment for these taxes in such an amount as they deem fair and reasonable?

I do not see how the council can correct a special assessment that has been made sometime in the past.

Where special assessments are made the city either issues special assessment certificates and turn these over to the contractor or issue bonds to be paid out of the receipts of the special assessments. In either case the special assessment receipts have been pledged and I do not believe that the town has any control over the same. It is certainly true that if I owned a special assessment certificate against a piece of property in your town that the council could not invalidate this assessment because I would be entitled to receive my money. If I owned a bond with the pledge of the city that on receipts from special assessments will be used to pay this and other bonds, the city could not reduce the assessment because it would probably by so doing make it impossible for me to receive my bond when it is due.

(Continued on page 107)

Efficiency in Disposal of Garbage and Sewage

Hon. O. Hochman, City Clerk, Council Bluffs

I have selected the subject of Efficiency in the disposal of garbage and sewage to present to you to-day, because it is one, in which not only the delegates of the League, but the public are vitally interested.

Disposal of garbage and sewage cannot properly be enforced and efficiency can not be obtained without the active and earnest co-operation of the public. This subject is engaging the minds of city officials and progressive citizens throughout the entire country.

In order to more fully understand it, it is necessary to know something of the conditions which existed in earlier time relative to the means which were taken to preserve public health. It is of interest to know that through all ages cleanliness has been looked upon as a factor in the prevention of disease.

This is specifically referred to in the Bible in connection with the Levitical laws. That clean-liness has stood the test of time, is evident from the fact to-day it forms an important part of the ground work of sanitation.

Unfortunately other methods, which were employed in earlier times for the protection of public health, were either farcial or worthless or too drastic for practical use, and were employed simply because they were the fancies of those in charge of the work. Houses and their contents were burned, vessels were sunk at sea by official order to prevent the transmission of disease. While later sanitary methods have steadily improved in value, it was not until about the 18th century that sanitation was placed on a scientific basis.

Pasteur and Koch gave to the world the result of their bacteriological investigation, the value of which cannot be overestimated. As a result we are now familiar with the specific organism, the cause of typhoid fever, diphtheria, tuberculosis and other infectious diseases. We are now better able to determine the true means by which infectious diseases are transmitted.

Within the past few years conclusive proof has been obtained that insects constitute a potent

factor in the transmission of infection. mosquito the house fly and the rat are dangerous mediums of infections and must be exterminated. The control of communicable diseases should be the prime motive and this can be accomplished by stopping their spread at the source. No community should stop short of a most rigid understanding that all diseases, which are preventable should not be allowed to exist and special emphasis should be placed on prevention rather than curative work. Prevention is the key-note of sanitation and around and about it has been constructed the most formidable barriers against infectious disease. When proper sanitary methods are enforced, there is no outbreak which cannot be successfully controlled.

The old fashioned methods, the slow moving garbage wagon spreading offensive smells and spilling its filthy contents on the streets as it passes, is a menance to public health, and should not be tolerated. As we are to merge from the old line of procedure into the new and more progressive methods, we must study the street, the alley, the back yard, the unsanitary privy, the polution of the water supply and all kindred subjects, which are disease producers. It is better to prevent disease than to attempt to cure it.

Healthfulness is the corner stone upon which is built all the comforts and happiness of the home. It is therefore of prime importance that the surroundings of the home together with its water supply, drainage and sewage disposal should be sanitary. The most sanitary fixtures are installed in the home, while at the same time little attention is paid to the sanitary conditions surrounding it, which may be open to the gravest dangers of offensive putrefaction.

We are told that flies are carriers of disease germs and primarily responsible for many fevers that are deadly during the summer months. It therefore becomes important to devise means, efficient means of eliminating flies or reducing their number by as many millions as possible.

When it is realized that the decendents of a

single fly number more than a million during a season, it will be readily understood that systematic effort to keep the eggs from hatching can accomplish a great deal. The greatest safeguard lies in preventing the pests from breeding, we must destroy the medium that carries and bring into our homes all sorts and kind of germs and infection.

The first of the enemies to public health is the filthy street, alley or yard. There is no question of greater importance to the community and no more annoying problem in city administration than the ultimate disposal of garbage and sewage. What can city officials do in their capacity with respect to promoting public health? The first thing they ought to know is, what is the death rate in their community, then they ought to know what are the diseases in the community, which contribute to the death rate. If typhoid fever is playing an important part, they should inform themselves as to the nature of the disease, how it spread and how it may be prevented.

Thypoid fever is a serious disease, in about one out of every ten cases the patient dies. It is a communicable disease, which is caused by a germ which may travel from one person to another through water, milk, food and flies. Typhoid fever multiplies with great abundance during the course of the fever and the bowel and bladder excreta contain millions of germs.

Flies feed upon excreta and contaminate food stuffs. The proper disposal of human waste is by sewage or otherwise, the efficient disposal of garbage and the sanitary conditions in the community in general will prevent the spreading of the disease.

One of the most objectional conditions essential to obtain satisfactory results and efficiency, is the system providing to separate the garbage and refuse into distinctive groups. It necessitates a separate collecting system. The reasons why people do not observe the rules providing for the separation of garbage and refuse are numerous. In the first place even the most intelligent and law abiding class of people will not consistently obey such rules unless it is convenient for them to do so. A system of separate collection imposes upon its citizens a hardship. Citizens will not observe adequately and consistently the rules necessary for satisfactory separation. The fault is not with the people, but lies chiefly with the fallacy of refuse

and garbage separation as a designed means to an end, which imposes a distinct hardship upon the population and involves unnecessary expense for collection. In general it may be said that domestic sewage consists of water to which has been added the solids from human waste and the washings from the kitchen and bath tub. These solids are rich in bacteria, which soon use up all the dissolved oxygen found naturally in water, cause decomposition and the giving off of obnoxious odors. Harmful bacteria may be found in the sewage. If the sewage becomes accessible to flies or in any way comes in contact with human beings or animals, there is danger from disease epidemics. The problem of sewage disposal is to eliminate the solids and bacteria, clarify the sewage and prevent obnoxious odors. Simplicity, economy and efficiency are the guiding factors in considering the cost of sewage and garbage disposal systems. If our cities came to be known not only as the most beautiful cities but the most healthful as well. the flyless and mosquitoless what greater attraction could they have in describing cities, in which to live?

Information Bureau

(Continued from page 105)

The only way that I know in which a city can relieve a property owner is to allow him a certain amount to be paid out of the general fund.

You say that the property owners would not protect their rights when the assessments were made and that the assessments were excessive. The council making these assessments evidently believed that they are proper or they would not have made them, and if one council should undertake the revision of action of previous councils in regard to special assessments and like matters I am inclined to think that a council would have all it could do just looking after these claims. The property owner has no possible claim on the city and I do not believe that it would be policy for the council to try to settle any of these claims. I do not believe you will have any trouble about this because as you say, the property owners neglected to protect their rights at the time the assessments were made, and this is the only time that they have a right to make an objection and if they do not at this time, they are out of luck.

ASH COLLECTION IN RICHMOND INDIANA

Richmond, Ind., recently purchased eight trailers and four tractors, two trailers hooked to a tractor, making four trains, which are pulled through all the alleys for collecting ashes and rubbish of every description. The full trains are pulled out onto the public dump, where the loads are quickly disposed of through the large rear doors of the trailers. These doors are controlled by two levers at the front of the trailer—one to dump, the other to rewind the doors.

The city is blocked off in four sections, two units being used in each section. Each tractor and train of two trailers is operated by three menone to drive, while the other two collect the ashes. This makes a continuous process, for as soon as the first train is loaded, there is another train waiting for the loaders. The driver of the first unit goes to the dump at the rate of about seven miles per hour, and is back again by the time the second unit is loaded. In this manner each tractor and train of trailers replaces two teams and two men, thus eliminating the old and costly method of having two men riding on the wagon about half the day between the places where the ashes are collected and the dump. The capacity of each dump trailer is two and one-half tons, or two yards rounded load, making a total load, for the two trailers of five tons, or four cubic yards. The city uses the eight trailers and four tractors for ash and trash collection in the winter time, and in summer, when this class of work is very light, it uses them for street repair or maintenance work. American City.

The Rahway, N. J., Municipal Bulletin says that citizens can lay in their winter's supply of coal advantageously by purchasing it through the city treasurer's office.

The new Providence zone plan was adopted on June 4. The old colonial residential district near the business section, was preserved from commercial encroachment.

Spokane, Wash., netted \$10,896 from golf fees in 1922. A charge of \$20 for a season ticket and 25 cents per game, is made. The present 9 hole course is being extended to 18 holes.

SMOOTH PAVEMENT TWENTY YEARS AGO AND TO-DAY

Good streets are a city's best advertisement. In these days of rapid transit and with an automobile for almost every family, it follows that the condition of a city's streets is a matter which is constantly before a large number of the citizens of any community. The poorer the condition of the streets the more forcibly is this matter presented, and under such circumstances it is better to do a little constructive thinking than "kicking."

Twenty years ago the automobile was only a novel curiosity; traffic was entirely horse-drawn and old Dobbin could whirl you over an ordinary graveled street at six miles per hour without a great deal of discomfort. But to-day "Henry" has rough sailing over the same streets, because he is much faster than Dobbin.

The truth of the matter is that automotive transportation demands smooth pavement, hard-surfaced highways, and any thing short of this is a temporary makeshift. [Dayton Municipal Review.]

The miles of single track electric railroad or street car lines operated in the United States in 1922 aggregated 43,933.88 miles as compared with 44,803.31 miles in 1917, a decrease of 2 per cent, and 41,032.91 miles in 1912, an increase of 7.1 per cent for the ten year period. The figures show decreases in track milage in 32 states and small increases in 16 states and the District of Columbia in 1922 as compared with 1917. The most important losses of trackage occured in Massachusetts (366.31 miles) and Ohio (260.27 miles.

The revenues of the Ashtabula, O., street railway at the end of the first year under municipal management, were \$101,951, while the operating expenses were \$85,274. No deductions are made for depreciation. City Manager Cotton points out that a \$100,000 bond issue to rehabilitate the property will be retired from the earnings which will amount to the same thing. The original purchase price was \$150,000 financed by bond issue.

Twenty-five Cleveland streets are designated as main thoroughfares on which vehicles have the right of way over those approaching from an intersecting street.



Crossroads of Conversation

Could the telephone directory in the hands of each subscriber be revised from hour to hour, there would be no need for the information operator. But the directory cannot at one time list all subscribers. Even during its printing and binding, thousands of changes take place in the telephone community. New subscribers are added to the list. Old ones move their places of business or of residence.

Though their names are not listed on the directory, these subscribers must be connected by the highways of speech with all others in the community. To supplement the printed page, there must

be guides at the crossroads of conversation.

Such are the information operators, selected for their task because of quickness and accuracy, courtesy and intelligence. At their desks, connected with the switch-boards in central offices, they relieve the regular operators from answering thousands of questions about telephone numbers that would otherwise impede the rendering of service. If they are asked for numbers already in the directory, service is retarded.

"Information" stands for the most complete utilization of telephone facilities.

"BELL SYSTEM"

AMERICAN TELEPHONE AND TELEGRAPH COMPANY
AND ASSOCIATED COMPANIES

One Policy, One System, Universal Service, and all directed toward better Service

CHEAP ELECTRICITY AS A POPULA-TION BUILDER

How does your city stack up in the way of rates on this essential factor of modern industry and home life? Imagine the constructive and community building power of an "ad" such as the city of Toronto, Canada, can use to-day, like this:

Buy a Home in Toronto

Do Your Housework with Electricity

One Cent Will Run an Electric

Iron1	Hour
Washing Machine	Hours
Vacuum Sweeper3	Hours
Cooking Rate: nine-tenths of	1c per
V TX	

House Lighting: 2.2c per K. W.
Rates Are Going Down Every Year.
Come to Toronto, City of
Efficiency

Judson King, of Washington, D. C., in an article in the Illinois Municipal Review of September-October, writing on the wonderful strides in the development of hydro-electric power in Canada says in part, as follows:

The Canadians are doing it. The Hamilton, Ontario, Spectator on September last issued

an enormous special edition cracking up "Hydro" and carrying "ads" from cities and towns over eastern Ontario boasting about low power rates to trap manufacturers; cheap "domestic" and "commercial" rates to lure business men and home seekers. They brag about "dependability" of service; that rates are not "jumped." And they make good. Distressing, but true. Ontario is growing in population and manufacturing. Hydro bonds are top-notch on the New York stock exchange. Business men big and little, are solidly back of the system. The promoters who had the vision and courage to start it are popular captains of industry, needing no detectives to guard them.

Will the cities of California lag behind in the municipal development of this powerful factor in modern life, hydro-electric power?

The city of Los Angeles furnishes us with a close to home example of what cheap power and water can do for a city. San Francisco now has at least one foot on the highway of accomplishment in this direction and will soon be making great strides to catch up with her rival city of the Southland, provided, of course, that she does not become mired in the bog of private power corporation intrigue.

We cannot blink at the growing modern trend toward the eventuality of complete municipal ownership and control of this utility. Let us not lag behind the times. [California Municipalities.]



SOMETHING NEW

BI-LATERAL ROCKER LUG COUPLINGS

They will ride over obstructions like on wheels

They will not catch on the street, curb, pavement, walk, steps, ladder rungs or on the roof, gliding smoothly over all obstructions without catching and jerking those taking a stream of water into a building. No spring or contraptions to get out of order.

They cannot cut or snag the jackets when the hose is pulled off the apparatus at a fire.

They will load easier and the oblong lugs will not injure the hose jackets with which they come in contact when loaded on apparatus.

They will prevent the pulling off of several folds of hose at one time when laying a line for a fire.

The oblong lugs form a better hold to loosen and tighten by hand and will not injure the hand of the fireman.

You can hammer these lugs to your heart's content. You cannot break them. We furnish a combination spanner that fits the old round lug, and the rocker lug, so that using both in a department causes no inconvenience.

BI-LATERAL FIRE HOSE CO.

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Los Angeles approves Luxsolite Pendants



Westinghouse

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YOU can give the taxpayers of your community good, permanent roads at a low cost of construction and maintenance if they are built by the penetration method, using Stanolind Paving Asphalt.

Economy of construction is characteristic of this type of pavement. Expensive machinery and labor are not necessary to lay it properly. Old road beds can usually be left in place if subgrade and base are in good condition. Local rock or stone can often be used and transportation charges saved.

Long life and low maintenance cost are also inherent and important features of Stanolind Asphalt roads. The hard pounding of heavy, speeding traffic is absorbed by the resilient water-proof surfaces. Neither the heat of summer nor the cold of winter affect them detrimentally. The Iron Mountain Twin Falls Road has withstood twelve years of continuous, heavy traffic and twelve northern Michigan winters, and it is still good for many more years of service, although Mr. Israelson's letter states that very little maintenance work has been done.

Stanolind Asphalt roads are an asset to any community. They are the arteries of transportation which, year after year, support its business and social life. If your community will build its roads now with Stanolind Paving Asphalt, you, too, will say, ten, fifteen or perhaps fifty years from now: "It is remarkable the way they have withstood the traffic and the elements."

If you have not received your copy of our booklet telling the latest methods of constructing and maintaining asphalt pavements, we suggest that you write us at once. It will be a valuable addition to your business library. Use your official stationery, please.

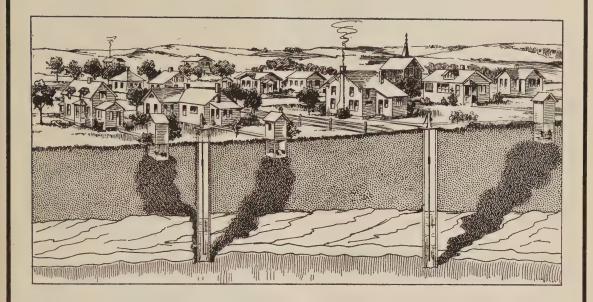
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Privy Vaults and Cesspools Leaking Into Your Wells.

Three-fourths of all town wells examined last year by our State Board of Health show this condition, endangering the health and physical condition of the citizens of our smaller towns. Proven conclusively by the examination statistics of the recent draft boards. These conditions causing typhoid fever, dysentery, hookworm and tuberculosis, have been eliminated in our cities by building sewer systems, which may now be built at small cost.

We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the *State Board of Health* and must be built eventually by every town.

Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

GUY E. SMITH, Secretary INDIANOLA, IOWA

"OUR SERVICE IS WITHOUT CHARGE"

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Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

WANTED—Chemical tank 40 or 45 gallon capacity mounted on pull cart, turn over type desired. R. H. Finnell, Whittemore, Iowa.

FOR SALE—A hand drawn hose cart in good condition. Address Otto. A. Hollander, town clerk, Schleswig, Iowa.

FOR SALE—City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable document files 13½ in x 4in x 10¾ in. Cupboard: lock doors and drawers 30in. wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

FOR SALE—Austin-Western Street Sweeper. Never been used as size of city necessitated something larger in way of cleaning streets. Address City Clerk. Valley Junction, Iowa.

FOR SALE—1 Ingersoll hand air compresser class F R. 1, 10x12 Steam Cylinder 10x10, Air Cylinder.
1 Fairbanks Morse 6 in. belt driven centrifugal pump. 1 Stillwell Heater 100 horse. 1 Cook Pump head size C, cylinder and pipe complete. 500 ft. 3 in. pipe. A quantity of 8in. pipe. City Clerk, Alta, Iowa.

FOR SALE—1 Laudlaw Dunn Gordon compound pump. One million capacity, in good condition. Size stroke 11 x 16 x 10 x 18. C. E. Boblett, Clerk, Perry, Iowa.

FOR SALE—One hundred eighty lineal feet of five inch wrought iron well casing which was taken out of the old well, but in good condition. For sale at twenty-five cents per lineal foot, F. O. B. Ryan. J. E. Cody, Clerk, Ryan, Iowa.

FOR SALE—One two story building located in Fairfield Iowa, built in 1920 out of hollow tile, rents for \$100.00 per month with a five year lease dated April 1st 1922, priced to sell, we need the money. L. F. Frye, Treasurer, West Point, Iowa.

WANTED—A second hand horse drawn street flusher. W. E. Gilchrist, City Clerk, Vinton, Ia. 423

WANTED—Position as manager of a town lighting system. A. V. Landgren, 2437 South 24th Street, Omaha, Nebr. 323

WANTED—An Iron or Copper Chemical Tank of 40 gallon capacity. One of the turn over type, and unmounted. J. Theran Murray, Clerk, Schaller, Iowa.

FOR SALE—Second hand air pressure tank, 24 ft. ong, 5 ft. diameter, 5-16 inch iron, 3/2 inch head, man. hole 12x18. Previously used for air pressure only-In good condition. Can be used for any purpose. Write for price. Town of Mediapolis, lowa, J. E. Berry, Clerk.

FOR SALE—Cheap. Rock Island Pump 6x8, has a pumping capacity of 115 gallons per minute; has been in use but a few years only. Can be used to good advantage for liget pumping, etc. Address A. C. Harre, Town Clerk, Dumont, Iowa.

FOR SALE—Cheap. Myers Bulldoser Pump Jack, working head from 14 to 20 inch stroke; 2-40 inch Belt Pulleys 6 inch face; good as new. If interested, write to Geo. Harder, Clerk, Keystone, Iowa. 93

WANTED—To communicate with city or town who has or intends to install new cells—and will have the old ones for sale, state all in first letter. C. F. Fitzgerald Town Clerk, Alvord, Iowa,

WANTED—One Ton or Ton & one half Truck, that can be remodeled into Chemical Fire Apparatus. When answering, please state Model, how long been used, & price of same. W. T. Thorp, Baxter, Iowa. 83

WANTED—Fire Bell or alarm—preferably second hand. Book Safe—Fire-proof not less than 18" deep and 48" high—inside measurement,—Preferably second hand. Watchmans time Clock—with at least four keys. E. S. Genung, Clerk, McCallsburg Ia.

FOR SALE—One Fairbanks-Morse 12 horse power engine. Reason for selling, have installed electric motor. Will sell cheap. Edw. Miller, Clerk, Donnellson, Iowa.

FOR SALE—Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, Iowa.

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, Iowa.

FOR SALE—Two Murray Cutting Shaker Grates (36 square feet) both in excellent conition, Price \$50, EaF. O. B. Cars. Address City Clerk, Independence, Iowa.

FOR SALE—By the city of Ottumwa, Iowa, one 20-40 HP J. I. Case Gas Tractor, one 8' Aurora Reversible Grader Engine Hitch, one, Russell's Scarifier, fair conditton, one Aurora Rock Crusher, No. 1 size. Price on application. Address M. A. Sheehan, city clerk, Ottumwa, Iowa. 222

FOR SALE—One two ton elevator 2½ horsepower motor. Can be used in any three story building. L. F. Frye, Treasurer West Foint, Iowa. 222

FOR SALE—One 50 horse power motor Wagner make, two phase variable speed, 600 R. H. M. and one 20 horse power of same make and type, prices \$450, and \$300, both motors in first class condition. If interested write at once to city clerk, Independence Iowa.

FOR SALE—One 75 h. p. Murray Corless Engine purchased new by us in 1910, One 125 h. p. Murray Corliss Engine purchased new by us in 1915. Neither of them have been used since Dec, 1920. Reason for selling, put in high line service. Address Town Clerk, Earlham, Iowa.

WANTED—If you have any apparatus or equipment that you do not need advertise it for sale in this classified department and give some other city or town a bargain.

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THE Quality of Vitrified Paving Brick always is certain, tangible, determinable before the brick are laid on the road. Their durability can be measured with exactness before the taxpayers' money has been spent. This is one of the reasons for public confidence in

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Weaknesses of substitute and less durable surfaces can not be discovered until after the pavement is down and the taxpayers' money has been spent. This is because such wearing surfaces are not and can not be tested in advance in the same manner and with the same definite assurance of foretelling behavior under traffic as can brick surfaces. Advance testing is only one of many reasons why brick pavements last so long and cost so little for annual maintenance and repair.

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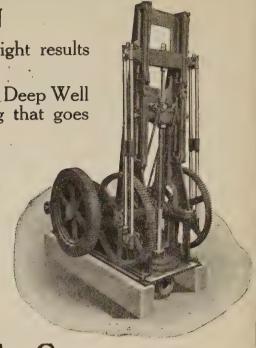
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Distinctive features are possessed by this pump not found in other crank pumps on the market.

Write us for information on the

COOK

There is a City or Town near you using the Cook Deep Well Pump.



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Mason City, Iowa



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They point the way—they tell at a glance. Substantial, ornamental, artistic. Each panel is one solid piece of cast aluminum. Street names are cast in the panel-it's all one piece. Will not tarnish, can not rust. Panels can be set and securely fastened at any angle to conform with direction of the crossing streets. The best and only permanent street marker yet designed. Full information free upon request. Write today,

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Vol. 46. No. 4

January, 1924

Published Monthly

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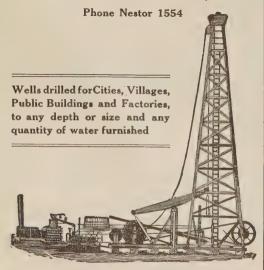
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"Recognizing the great power of our medium, we should use it for the general good by devoting space to matters of general happiness and welfare."

This is paragraph 10 of our Standards of Practice which you read last month. Poster men believe that business is always indebted to society. That is why you often see beautiful religious posters, such as the Nativity, displayed. It accounts for the civic welfare posting of Y. M. C. A. campaigns, Health posters, Community Chest posters, and many other posters aiding in the advancement of worthy charitable, civic, social, and general welfare measures. Thousands of dollars worth of advertising space annually is contributed to worthy causes by Association members. During the war the Poster Advertising Association, Inc. aided the Government with nearly two million dollars worth of space. The war posters are now famous and are treasured by collectors.

If your city has a worthy cause to promote, call on the local member of the Association. You will find that he is loyal to his community and vitally interested in local civic affairs. He is a local business man with local business and civic interests.

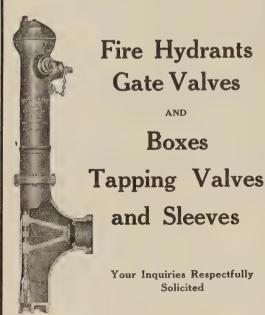
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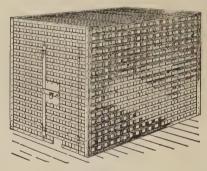
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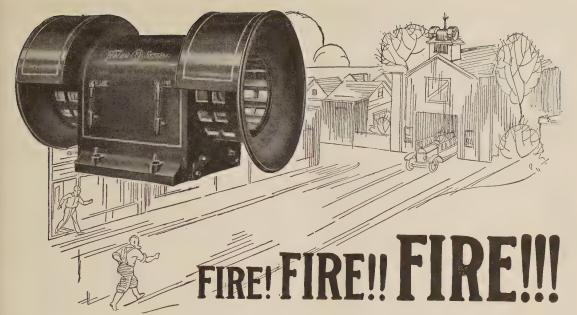
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We Buy Iowa School, County, City and Drainage Bonds

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- ¶ Correspondence invited.



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> Approval dated October 11, 1918

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Our town has Population Our Current Specification

Volts Cycle Phase We have

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In 1824, an English mason wanted to produce a better cement than any then in use. To do this he burned finely ground clay and limestone together at a high heat. The hard balls [called clinker] that resulted were ground to a fine powder. When a mixture of this dull gray powder with water had hardened, it was the color of a popular building stone quarried on the Isle of Portlandoff the coast of England. So this mason, Joseph Aspdin, called his discovery "portland" cement.

That was less than one hundred years ago.

Portland cement was not made in the United States until fifty years ago. The average annual production for the ten years following was only 36,000 sacks. Last year the country used over 470,000,000 sacks of portland cement. Capacity to manufacture was nearly 600,000,000 sacks.

Cement cannot be made everywhere because raw materials of the necessary chemical composition are not found in sufficient quantities in every part of the country. But it is now manufactured in 27 states by 120 plants. There is at least one of these plants within shipping distance of any community in this country.

To provide a cement supply that would always be ample to meet demand has meant a good deal in costly experience to those who have invested in the cement industry. There have been large capital investments with low returns.

In the last twenty-five years, 328 cement plants have been built or have gone through some stage of construction or financing. 162 were completed and placed in operation.

Only 120 of these plants have survived the financial, operating and marketing risks of that period. Their capacity is nearly 30 per cent greater than the record year's demand.

These are a few important facts about an industry that is still young. Advertisements to follow will give you more of these facts, and will tell something of the important place cement occupies in the welfare of every individual.

PORTLAND CEMENT ASSOCIATION

Hubbell Building DES MOINES, IA.

A National Organization to Improve and Extend the Uses of Concrete

Offices in 27 Other Cities

American Municipalities

January, 1924

Vol. 46, No. 4

Entered as second class matter December 1-1911, at the Postoffice. Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price. \$1.00 per year Advertising rates made known on application

> "For forms of government let fools contest, What'er is best administered is best."

Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of Iowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of Iowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

I would like to impress upon municipal officials the importance of checking up all bills dealing with cities and towns before the special session of the legislature.

The large cities should every one of them arrange to have the bills checked up by their attorney or some one else familiar with municipal law.

The League of Iowa Municipalities and the Legislative Committee will do everything possible to see that no bad laws are passed but because the League will do all it can does not excuse each city from looking after its own interests.

The paper on central purchasing and reference to Davenport pays Mayor Mueller deserved praise.

The Davenport system of purchasing should be studied by those cities in the state that do not have a central purchasing department.

The paper by Clinton Rogers Woodruff former president of the National Municipal League should be read by every Municipal official of a city having civil service.

Civil service has fallen in bad repute in this country because the majority of those dealing with it know little or nothing about it.

The solution of the present trouble of civil service lies in his statement "From the beginning the advocates of modern civil service methods have stood for strict rules for selection and easy elimination or evictions."

Most of us have felt that once a person secured a job under civil service he was there for life irrespective of acts or qualifications.

If we adopt the principle set out above, civil service will be a real help in municipal affairs instead of as at present the greatest obstacle in the way of efficient administration.

The paper by Mr. Wood of the Westinghouse Company has some mighty good ideas and at least we can all consider them even though we do not agree in every particular.

The particular item that should be considered by municipal plants is what Mr. Wood calls "semi outages."

Since reading this paper I have noticed the street lamps and most of them are so dirty that the major part of the illimination is lost.

If you have a municipal plant take a look at your lamps and if they are dirty have one of your men wash them and increase your service.

If you buy street lighting service from a private company look at the lamps and if they are dirty try and get the company to wash them and if they will not wash them yourself.

It looks as if a provision should be placed in every future contract for street lighting providing that the company shall thoroughly wash and polish every street lighting bulb and globe at least four times a year.

IOWA ENGINEERING SOCIETY MEETING

The annual meeting of the Iowa Engineering Society will be held at the Montrose Hotel in Cedar Rapids, on January 29, 30, 31, and February 1st 1924.

This society has a membership of approximately 550, and for carrying out technical investigations and programs, has been divided into the following sections: drainage engineering, highway engineering, mechanical-electrical engineering, municipal engineering, railroad engineering, and structural-architectural engineering.

The following is an outline of the program which begins, Tuesday, January 29th.

Tuesday Afternoon

Drainage section Technical Program

Wednesday Morning

General sessions, including address of welcome, Presidents Address etc.

Wednesday Afternoon

Technical Programs in Drainage, Highway, Mechanical, Electrical, Municipal, Railroad and Structural-Architectural Sections

Wednesday Evening

Annual Campfire consisting special entertainment impromptu speeches.

Thursday Morning

General Sessions.

Thursday Afternoon

General Sessions.

Thursday Evening

Annual Banquet and Dance.

Friday Morning

General Program.

TROLLEY POLES MADE ATTRACTIVE

The problem of the treatment of steel poles as ornamental lighting units has been solved by a

lighting bracket and base developed by the Westinghouse and Manufacturing Electric Company. The bracket, designed to make an efficient and attractive lighting standard out of a steel trolley pole, is known as the Columbia Trollevlite Bracket.

These lighting brackets, which may be either single or double arm, are clamped to the poles. The clamps used have adjusting bolts which insure perfect alignment of the arm or arms, irrespective of the rake of the pole. The addition of an ornamental base makes greater attractiveness. These Bracket with ornamental bases are designed to be slipped



over trolley poles during erection, or may be obtained "split" for use with poles already set. The lamps are set at a height of 23 feet four inches from the level of the curb.

TRACKLESS TROLLEYS VS. BUS

A statement that trackless trolleys can be operated cheaper than motor busses, recently made by the Philadelphia Rapid Transit Company, should be of general interest. Following s the excerpt from the P. R. T. Bulletin:

"The trackless trolley is primarily the forerunner of extended trolley service and, by utilizing the electrical distribution system, can be operated by means of street car motors at a cost sufficiently lower than that of the gasoline motor bus of similar size, so as to closely approximate the difference between the trackless trolley fare of seven cents or four tickets for 25 cents and the ten cent fare which is necessary to support operation of the gasoline motor bus when supplying similar service."

San Francisco has decided to bake its own bread for municipal institutions. The test will be made at the San Francisco hospital and costs kep for three months.

Resurfacing Paved Streets

By D. I. Elder, of the Currie Engineering Company, Webster City

There is one economic question connected with this subject of resurfacing, which is: "Why is it necessary?" And the immediate reply is; that the existing surface has failed. Then arises the question: "At just what stage of disintegration is resurfacing required?" And the proper answer to this question requires the exercise of considerable business judgment. It is not possible to set a rule that will hold in all cases, but each project requires consideration on the basis of the factors involved.

In the first place, on account of the expense involved it is advisable to put off the day of resurfacing as long as possible, if the pavement can be maintained in good condition by timely repairs. Not long ago, in one of the engineering periodicals the experience of an eastern city was given, in which the subject of maintenance and resurfacing was taken up from the standpoint of management and accountancy. Records were kept for a long period of years showing the initial cost of each paving job, and the annual repair bills for each. In that city it had become the rule that resurfacing was warranted as soon as the annual repair cost had crossed a certain line, the amount representing a tax sufficient to pay for resurfacing in the course of a few years.

A pavement has been defined as a base that is sufficient to transmit the load of traffic to the soil, and a surface that will resist abrasion. When therefore, the pavement fails it is necessary first of all to find out why, and to make the restored surface adequate for the needs as they exist and for those that can be forecast. In this connection I must say that a common experience in considering the plans for resurfacing an old street, is as follows: The argument is advanced that the cost should be kept as low as possible to permit the improvement being considered at all and for that reason the type of surface and construction details should be specified with regard to rather light traffic, the statement being frequently made, "These streets do not have what you might call heavy traffic' the reply is: That the traffic the restored surface is going to receive cannot be predicted on the basis of that now being routed over this street for the reason that it is too rough to permit much traffic. As soon as a smooth surface is laid, then the chances are that the street will be used. A good pavement is an invitation to traffic. If a pavment has failed under one given set of conditions, it is well to assume that in the future conditions will be even more severe.

At this point it is well to inquire into some of the general causes for the failure of some of the pavements that will require resurfacing; and in many cases the pavement is of an obsolete type. I have in mind particularly some of the old brick pavements that were laid without a concrete foundation, or a generous sand cushion, and with a sand filler. Now, while such pavement might have been all right for horse drawn traffic for a time, soil shifting and uneven settlement of the sand cushion have left the surface in humps and depressions. In some cases the brick used were not as hard as are required for present practice, and the edges are badly chipped. Traffic over such streets is usually very light at the present time if any other routing can be found, and where they are the necesary route for traffic, the speed is reduced,

Formerly it was thought that a four inch concrete base was sufficiently thick, and that the mortar could be somewhat leaner than that in use now. Also it used to be the custom in laying concrete base, when stopping work at night, to make a joint as follows: The last concrete that was poured was flattened out to a thin edge; then in the morning when starting work, the fresh cencrete was poured on top of this thin edge poured the night before, and the surface carried from that point on. This made a sort of sliding joint and it was thought this was necessary to provide for expansion. But now some of these joints are found badly shattered, appearing in the surface of the street as a hump. Again, in bases of lean concrete is is often found that where cracks are formed by contraction the concrete at the edges of the cracks is badly shattered, resulting from pressure when they have expanded again.

Another general cause for rapid deterioration in pavements can be brought under the head of specifications, inspection, and construction. In other words some pavements have failed because the specifications were drawn so as to permit the use of materials, mixture and construction practice that were not suitable for the conditions to be met. Inspection includes the preliminary examination of materials, and the control of the mixing process in preparing them for the street. Sometimes inspection has been what we may term visual; for instance the suitability of gravel might be judged by examining a Construchandful taken at random from a pile. tion includes the supervision of the job while work is in progress; and some failures are to be traced to the fact that where a certain depth of concrete was specified, something less has been secured and other details of workmanship and finish have not been carried out as the specifications have contemplated.

One further possible source of trouble is found in the following conditions: Suppose an important street from a traffic standpoint to be bordered by vacant property, that has a very low value for the purpose of special assessment, such for instance, as the street leading from the center of town to the team tracks at the railroad freight house at the outskirts, and that connects with the primary highway from that point. The most economical pavement for such a locality might be too expensive a type for the adjacent property to stand, and the needed improvement has to be built of a less expensive type with the expectation of later resurfacing.

Now this discussion of the causes for failure of a pavement leads up to the proposition that when the surface is finally restored the pavement should be a permanent piece of construction designed to meet modern traffic. Before the plans for any resurfacing project can be decided, it is necessary to make a thorough investigation of the existing pavement, and of the traffic conditions it will have to meet, and then decide what is to be done. Without such an investigation and plans made after mature consideration, the tax payers may be disappointed in the short life

of the restored surface.

Apparently the abrasive action of traffic is much less a factor in the distruction of the surface than was formerly supposed; and I believe it is now being recognized that the strength of the foundation is the biggest factor in the modern pavement. Therefore in making plans for the restoration of the surface, the base or foundation is the first point requiring consideration. For if additional strength is needed in the base and is not provided, difficulty is sure to develop later on.

Of course the height of the curb, and the crown of the street, will, in some situations, limit the plans for treatment of the surface. But consider the case of pavement which was not originally designed to meet present loads, consisting of only four inches of lean concrete. Investigation may reveal such a shattered condition of the base that renewal of a flexible surface would be only a temporary improvement. It has been suggested that in such a case, the addition of three or four inches of rich concrete, finished for the new surface, be applied.

The treatment of old brick pavements requires special consideration in each instance. There is a possibility for some salvage in the brick if, upon examination and test, it is found that the brick are suitable. For if an uneven brick surface is due to shifting of a sand cushion and to broken edges, they may be taken up and relaid with the worn edges down, upon a concrete base, with a sand cushion stiffened with a little cement, and with a bituminous filler. the other hand it may prove more economical. to cover the old brick with an asphalt type of surface, using an ashpaltic concrete binder to fill up the depressions in the old surface and bring it up to the proper grade and crown.

An old concrete pavement presents a variety of possibilities except that the depth of the curb is a limiting factor. After repairing the broken places, and if the base is sufficient, an ashpalt or a brick surface may be applied, or even an additional thickness of concrete.

Asphalt pavements, on account of the elasticity of the surface, and its plastic nature, presemt another special problem. The usual condition of an asphalt street that has failed is that the surface has shoved under traffic, and has formed waves of such height as to give the im-

pression that the base is broken and has turned up on edge. Usually, examination shows the base to be in good condition, but the asphaltic mixture so far disintegrated that water and frost are able to continue destructive action. Often the surface has broken out in places leaving the base bare. It is often recommended that a thin layer of surface mixture be applied to a wrinkled surface but this can be considered only a palliative if the cause for pushing was the instability of the mixture used.

For many years a popular type of asphalt pavement has been the Topeka mixture, or asphaltic concrete, whose characteristic is that it is composed of crushed stone finer than one-half inch, mixed with fine sand and asphaltic cement. After the wear of a little traffic the course stones appear in the surface as a mosaic. The popularity of this type of mixture is that it is somewhat cheaper than others, while presenting a very smooth riding surface: and large yardages are in use and still being built. But it has been authoritatively stated that this type is tending to shove under traffic, unless it is laid on a binder. In bituminous pavements of the coarse aggregate type, one of the agents of destruction is water which penetrates along the edges of the course stones. And if the stones be of a porous nature, as limestone, frost completes disintegration. Some payements of this type show a surface pitted with holes where stones had once lain. I believe it is the recognized principle of those now interested in the asphaltic concretes, that the preservation of the surface is to keep it waterproof by the application of a hot sand and asphalt mixture, rolled on, to form the wearing surface.

In dealing with an asphalt pavement that has failed, the first necessity is to examine the existing mixture to determine its condition and grading. This is especially important. The art of asphalt paving was developed in earlier years by a process of trial and error, good and bad pavements resulting. And later research conducted upon these older pavements has revealed the standards by which it is necessary to govern the mixtures and the construction details, in order to build an asphalt pavement whose wearing qualities can be predicted with any certainty. An examination of the mixture from an old asphalt pavement that has failed usually

reveals the fact that some of the standards have been violated. Exceptions are to be found in the case of city streets where the asphalt borders car tracks, and the traffic is so continuous that the wear of years occurs in a comparatively short period. The other extreme is the case of a street that receives almost no traffic and the asphalt cracks because there has been too little traffic to keep it kneaded into a smooth surface

In case examination shows that the mixture is faulty, there is only one remedy, which is to remove it and repave it with a proper mixture, properly constructed. On the other hand, especially in the case of pavements of the coarse aggregate type, if it is found that the composition is inherently stable, and that the surface is suffering only from the attack of weather, it may be restored by the application of an inch or more of a hot sand and asphaltic mixture, in other words—a sheet asphalt mixture, that conforms to modern standards.

In many localities the resurfacing issue is becoming acute, and it is here desired to point out that in the last few years our paving standards have changed to meet conditions that were not dreamed of in the earlier years. So many posibilities for renewal are apparent to one who gives the matter thought that there is ample room for the exercise of good business judgment. Good engineering consists not only in constructing durable improvements, but in constructing durable improvements with the utmost economy consistent with good practice.

CHICAGO LOOP TRAFFIC RELIEVED

The recent strict enforcement of the "no parking ordinance" in the Chicago "loop" area, has cut the time required to drive through this district to fifty per cent of what it formerly was, it was reported at the recent Baltimore Planning Conference.

This report added that street cars which formerly were running 30 minutes late through the "loop" made that part of their run ten minutes ahead of time since the traffic campaign inaugurated by Mayor Dever. The report recommended, among other things: The absolute prohibition of parking in the most congested section; a 30 minute parking limit in other parts of the business section, and multiple-floor garages.

Saving The Tax-Payers Money

Russell Forbes, Research Secretary, National Association of Purchasing Agents

Mr. Average Citizen spends little time speculating on the buying methods used by his city government. To him the subject of "Centralized Purchasing" is about as lucid as the Einstein theory. It is usually placed, together with the Einstein theory and other abstruse subjects, in the catagory of "unfinished business" to be investigated at some other time.

Yet few subjects are of greater economic import to the individual taxpayer than the procurement methods followed by his city government. The experiences of many cities over a considerable period has shown that the majority spend about one-half of the annual tax roll for materials, supplies and equipment. Experience has also demonstrated that efficiency in procurement methods may represent a vast saving to a city and a considerable reduction in the individual tax bill.

HISTORY OF CENTRALIZED PURCHASING IN CITIES

City administration was formerly judged solely by the quality of service rendered to the citizens. Each department which contributed a share of that service was considered autonomous, with little if any connection with any other department or with the city government as a unit. That department which made the most popular appeal was usually rewarded with the largest appropriation from the tax fund. No attention was paid to the methods of purchasing supplies so essential to the rendering of service and no questions were asked as to the methods of purchasing followed.

With the dawn of the twentieth century, however, our citizenry awoke to the need for understanding of the causes for increased tax rolls. The budget was advanced as the remedy. It was immediately accepted by the populace as the panacrea for civic ills.

To operate a budget, however, it was found necessary to establish a correalation in receipts and expenditures between departments and to get up a central accounting system for the entire city government as a unit.

From a central budgetary control the next logical step was central supervision over supply disbursements. Industry had long before demonstrated the necessity for centralized purchasing as a leading factor in the reduction of over head. Government, however, had never been looked upon as a business, since its only product was that intangible something called "service" and since a "profit" was deemed impossible.

The District of Columbia was perhaps the first to establish a purchasing department, where supplies for part or all of the city departments were secured through a central agency. From this beginning in 1898, the idea of centralized purchasing has now been extended to over two hundred municipalities in the United States and Canada. It has demonstrated its applicability to every kind of city organization and to practically every kind of trade condition. The number of cities which have abolished centralized purchasing system after trial is relatively few in comparison with the total practice.

ADVANTAGES OF CENTRALIZED PURCHASING

Whether a city shall derive the maximum or the minimum advantages from centralized purchasing depends of course upon the several factors of partisan control, legal restrictions, market conditions, and the opportunity for initiative granted to the purchasing executive. Some cities have defeated the purpose of centralized buying by appointing an unskilled buyer or by hobbling him with red tape and undue restrictions.

The chief advantages from centralized purchasing to be derived by a city are as follows:

- 1. Lower prices through bulk or consolidated orders.
- 2. Greater fiscal supervision over expenditures and consequently more accurate budget making.
- 3. Cash discounts by prompt payment of invoices.
- 4. Elimination of duplicated payment of bills through central supervision and approval of invoices.

- Central authority for checking deliveries and testing quality of samples and supplies.
 - 6. Central supervision of storeroom.
- 7. Disposal of surplus material by interdepartmental transfer or sale.
- 8. Standardization of supplies and equipment.
- 9. Most important of all, employment of a skilled purchasing executive who is alive to market trends and modern purchasing methods.

CENTRALIZED PURCHASING IN DAVENPORT

The father of centralized purchasing in Davenport is Mayor Alfred C. Mueller. His was the pioneer spirit which induced the city council in 1915 to adopt the ordinance creating the Department of Supplies. Ever since its establishment, the purchasing department has been accorded the whole hearted support of Mayor Mueller, to whom a considerable share of credit is due for the satisfactory buying record which has been achieved.

Mayor Mueller's interest and belief in centralized purchasing is not confined to local application. Through his efforts and encouragement, the city of Rock Island, Illinois has recently established a purchasing system, and at the present time he is co-operating with the city authorities of Moline to a similar end.

OPERATION OF DEPARTMENT

Since 1916 Mr. F. W. Friedholdt has been serving as the city purchasing agent. Under his administration, the department of supplies has achieved a record for economy which stamps it as one of the leading departments of the kind in the country. The amount sared annually has been far in excess of the low operating cost of the department.

The purchasing agent is appointed by and is directly responsible to the mayor. He is given authority by the creative ordinances to appoint and remove the subordinates in his department, to standardize the specifications of supplies found common to the needs of several departments of the city, to conduct a personal inspection of goods delivered to see if they conform in quanity and quality with supplies ordered, and to have tests made of samples submitted to ascertain their quality and their suitability to the city's needs.

Supplies for all departments except the department of education and parks are handled

through the central purchasing agency. Requisitions for supplies are filed with the purchasing agent by the individual department as need arises. All requisitions over \$200.00 in amount must be approved by the city council before order is placed. Altho the limitation is a measure of popular control over purchasing, it oftentimes acts as a hindrance to prompt and economic buying. The city of Pasadena, Calif. recently granted to its purchasing agent authority to award orders up to \$2,500 and up to \$5,000 with consent only of the city manager.

The Davenport system requires that sealed proposals must be secured on all orders over \$200.00 in amount. This provision manifestly aims to secure competition on all orders. Competition is of course necessary, but can usually be secured without the formality, delay and expense incident to formal advertisement and receipt of sealed bids. A skilled buyer, alive to market trends, may have the opportunity to save a considerable sum by placing orders on the spot. This economy is frequently checkmated if the legal restrictions are complied with by making formal advertisements for sealed bids with a consequent delay. The majority of cities now require advertisements for sealed bids only for orders over \$500. while several others, such as Philadelphia and Akron, have raised this limit to \$1,000.

Central control over expenditures is best secured if all purchase orders are recorded as encumberances against the appropriation accounts of using agencies ordering the supplies at time the order is issued. This procedure is usually delegated to the city treasurer or comptroller, who certifies to the sufficiency of appropriation available for the order. In Davenport, however, this procedure is carried out by the city purchasing agent as an added measure of co-operation with the mayor to guarantee that all departments live within their means. A similar system is followed by the city purchasing agent of Akron independently of the city fiscal offices. This safeguards the interests of both the city and ven-The city is assured of living within its means, while the vendor is assured that funds are available to pay his invoice when it is rendered.

MUNICIPAL GARAGE A FEATURE OF SYSTEM

One of the leading features of Davenport's

supply system is the municipal garage. The garage was established at a cost of \$12,000 and is designed to hold about 25 city cars besides providing space for carrying stock of motor repair parts and automotive supplies. Each of the 42 cars owned and operated by the city reports to the superintendent of the garage for inspection and repair. A municipal filling station for gasoline and oil is maintained. By bulk purchase and central storage, \$658.00 was saved on gasoline alone last fiscal year. The saving in labor charge over private repair charges is estimated at about \$2,500 annually.

OPERATING COST FIGURES

During the fiscal year 1923 the purchasing department handled a total of 2,180 requisitions and placed 3,095 orders aggregating \$294,357.59. For the same period, the operating cost of the department was \$4,212 which included salaries and overhead expenses. This represented a percent cost of 1.4%. In other words, it cost the taxpayers of Davenport \$1.40 for every \$100 worth of supplies handled through the central department. This charge paid for advertising, ordering, delivering and inspecting all supplies, material and equipment consumed by the city.

A cost study of purchasing in fifteen representative cities in the United States, in various sections, under each form of city administration, and under varying trade conditions was made recently. The average per cent purchasing cost of these cities was 1.14% showing that the city of Davenport is securing its supplies as economically as other cities. This cost record compares very favorably with the average purchasing cost in industrial organizations.

Altho records are not available to determine cost of purchasing under the de-centralized system whereby each department purchased separately, it is reasonable to suppose that one full time purchasing executive can attend to the supply requirements of the city with less expense than could several part-time employees. Centralization has eliminated the duplication of effort, the lost motion, and the unskilled methods which prevailed under the de-centralized system of procurement.

SAVINGS EFFECTED

The Davenport purchasing department saves for the taxpayers from \$500 to \$600 per month. In addition, prompt payment of bills saves yearly

n discounts approximately \$600. During the 1923 fiscal year skilled and consolidated buying saved the city about \$8,200. The average annual savings for the past five years has been \$7,301.

Some outstanding instances of savings may be sighted. In 1920, standardization of printed forms used by the city organization saved \$506. while last year this item amounted \$379. In one year, a saving of \$738, was made on cement for the city's needs by contracting at ebb market price for the year's requirements. Through standardization of motor equipment, the city becomes a fleet owner and entitled to the wholesale discount. This on Ford repair parts alone amounted to over \$500. last year. By contracting for lamps used by the entire city government, a discount of 24% was secured, which netted a saving of \$144, to the city. The bulk coal contract for the city's fuel requirements saved \$2367 this past year.

The procurement system of Davenport is unquestionably one of the most satisfactory in the entire country. The taxpayers of this city should be proud of their mayor and of his foresight and business judgment in prompting centralized purchasing for the city. It should be a source of gratification also to the taxpayers that the expenditure of funds for supplies, which represent by far the largest disbursement of the city, is being adminstered economically and in accordance with methods approved by American commerce and industry.

CONCRETE PAVEMENT CONTRUC-TION DURING 1923

Nineteen twenty-three was a year of tremendous construction activity. Though the building industry was unusually active ana required the services of labor and transportation facilities in greater measure than in recent years, the volume or concrete pavement built during the year marks an outstanding accomplishment in the history of highway improvement.

Approximately 74,000,000 square yards of concrete pavement were completed and opened to traffic during the past construction season. Of this amount, 62,000,000 square yards—the equivalent of almost 5,900 miles of concrete road 18 feet wide—were added to the nation's permanent highway system. The balance—22,000,000 square yards—was placed on city streets and alleys.

The Cost of Street Lighting

L. A. S. Wood, Street Lighting Section, Westinghouse Company

The advantages to a city of an improved street-lighting system are thoroughly appreciated by the public, but the cost of adequate street lighting is not so well understood. This is a subject of the utmost importance to municipal officials, and a clear analysis of the whole situation is necessary before the cost of adequate street lighting can be determined.

The conditions governing the cost of adequate street lighting are the same with municipally operated street lighting plants as with a public utility service, and, in either case, the public must ultimately pay the interest on the investment and a fair depreciation on the equipment, or the system cannot be operated satisfactorily. We cannot get "something for nothing," and if a city wishes to possess an adequate street lighting system, it should be prepared to pay adequate rates to obtain it.

The public, unfortunately, has been to some extent misled as to the cost of street lighting, due to the fact that in the early days of electricity, street lighting rates were not always based on the actual cost of the service, but were often quoted in consideration of some concessions in connection with the granting of the franhise. Furthermore, street lighting rates have remained practically constant for many years, and we are paying today little more per capita for street lighting than we paid twenty or thirty years ago. In view of the enormous increase in the cost of labor and material in recent years, this is manifestly unfair and we are led to ask, how is the service maintained under these conditions?

Public utility companies and municipal street lighting plants have been able to maintain street lighting service with existing rates and appropriations, because of the developments in street lighting units which have increased the efficiency of the units and reduced the cost of labor and maintenance. The introduction of the Mazda C lamp and the consequent reduction in trimming costs was co-incident with the rapid increase in the cost of labor and material. As a

result of this development, the arc lamp, which up until 1913 was the standard unit for street lighting, was rapidly replaced by the Mazda C lamp, and street lighting, services were maintained without increases in the rates.

From the foregoing remarks, it is evident that the sale of street lighting service at existing rates is not profitable and consequently is not an attractive business for the central station. Superficial observers might conclude that a low rate for street lighting would be advantageous to a city, but unless the business is profitable, the central station not only has no incentive to improve the service, but it has no funds available for this purpose. The result of this condition is a poorly maintained street lighting system with dirty glassware and inefficient service.

It would be logical to assume that if the investment required for adequate street lighting returned a fair interest, the public utility companies would be energetic advocates of improved street lighting, whereas, at the present time, they are in general not interested in advocating improvements requiring an investment which might have to be covered by an inadequate rate.

An interesting side light was thrown on this situation at the recent Annual Convention of the Illuminating Engineering Society, at which eleven authorities on street lighting practice presented their solutions of a typical street lighting problem. Copies of the problem were sent to central stations, consulting and manufacturing engineers, and a tabulation of the intensities of illumination recommended shows that those suggested by the central station engineers, were on the whole, lower than the intensities recommended by the other engineers. In the discussion it developed that the central station experts had been guided in their recommendations by what they believed, from previous experience, a city would be willing to pay for a street lighting system, and not by what they thought would be adequate to take care of modern requirements. It is my belief that this attitude on the part of

central stations will not be changed until municipal officials and the public realize that to obtain adequate street lighting, adequate rates must be established.

What is an adequate rate for street lighting? This is a difficult question to answer, because the rate will depend largely on the locality and size of the city under consideration. In general however, an adequate rate for street lighting is a rate which will return a fair interest on the investment required for an adequate street lighting system, and one which will provide for the efficient maintenance of the system, and a reasonable depreciation on the equipment.

Unfortunately, while provision is occasionally made for an adequate street lighting system, municipalities often overlook the importance of establishing a rate for the service which will provide for adequate maintenance. The efficiency and appearance of a street lighting system depreciates rapidly unless glassware is cleaned at regular intervals, and it is quite evident that unless an adequate rate sufficient to cover adequate maintenance is established, little effort will be made by the public utility company for a growth in what is an unprofitable load. To keep the street lighting losses as low as possible, the central station with an inadequate rate for street lighting service, will be apt to neglect the epuipment which, in consequence, will fail to operate at normal efficiency.

As a legacy from the days of the arc lamp, city administrations generally keep a record of "outages" in order to collect penalties imposed under the terms of the street lighting contract, although with modern street lighting equipment, such outages are comparatively few. "Semi outages" caused by dirty glassware or blackened lamps generally pass unobserved, even though such "outages" are a greater factor in the efficiency and appearance of a street lighting system than the actual outages. Central stations and municipal plants cannot be expected to take care of such conditions unless adequate rates are established.

It is generally conceded that the cost per capita for an adequate street lighting system should not be less than one dollar, and yet, an investigation into this subject disclosed the fact that there are only nine states in the union in which the per capita expenditures of municipal-

ities for street lighting exceeded ninety cents, and only four where the expenditures was more than one dollar. At the time the investigation was made, it was found that the average expenditure for the whole of the United States was approximately seventy-one cents per capita.

Street lighting budgets form a small portion of total municipal expenditures; and while there have been large increases in practically all departmental expenditures, which in some cases have nearly doubled in the last ten years, there have been only slight increases in the street lighting budgets. An investigation of municipal finances was recently made to determine "just where the tax dollar goes," and whether a fair proportion is expended on street lighting. This disclosed the rather startling fact that while 21 cents of each dollar "goes" for protection (police, fire, etc..) only 3.4 cents "goes" for street lighting.

The cost of adequate street lighting systems can often be reduced if the street lighting improvement schemes are carried out under a comprehensive program co-ordinated with and included in city zoning plans. In designing ornamental street lighting installations, the most important consideration is to obtain efficient illumination at night at low operating costs, with units which will add to the appearance of the streets by day. The original cost of street lighting installation is seldom greater than its cost of operation over a two year period. Most installations last from ten to fifteen years, so it is plain that a little saved or spent on the original installation becomes an insignificant consideration when compared with the importance of wise planning from the standpoint of maintenance and operating costs.

In the past years the usual practice has been to confine street lighting improvements to limited areas. Just as city planning has in the past been almost wholly confined to scattering about the city a few beauty spots, such as civic centers, parks and play-grounds, so has improved street lighting been scattered through the agency of localized improvements carried out as private developments, or in the form of improvement districts. Nearly always the aim has been to boom a restricted area to commercial leadership through the establishment of "White-Ways." The work of so-called improvement districts

may be made valuable if regulated under a general improvement plan; but without centralized leadership the result is haphazard patchwork.

The average run of street lighting throughout the United States is more or less subject to the following criticsms which are appoximately in the order of their relative importance:

- 1. Inadequate illumination.
- 5. Miscellaneous growth without a definite relationship to a comprehensive city plan.
- 3. Inconsistant transitions and gaps in passing from one section to another.
- 4. A lack of standardization.
- 5. A lack of classification of streets and an absence of unity of treatment of streets of the same classification.
- Too many unsightly and disfigured streets, because of insufficient attention to architectural grace and ornamentation.
- Too much temporary construction instead of building for flexible permanence.
- 8. Too little application of correlated effort, research and talent.

A scientifically derived, comprehensive, farsighted street lighting program correlated with a city-zoning plan is not easily worked out. It calls for specialized talent in many lines of work, and, in most cases, city officials can profit by bringing into consultation the engineers found in public utility companies, whose success depends largely upon their ability to foresee future requirements and to meet them with a minimum loss in reconstruction. This nation is becoming possessed of many vast cities and most of them like "Topsy"-"just growed." Our large industrial establishments and other privately owned projects exemplify the economy of employing talented engineers and architects. The city is, of course, more important than any of its contributing factors; and it is unfortunate that some of our cities do not appreciate the necessity of providing sufficient appropriations for this type of personnel.

In conclusion, I have the following suggestions to offer:

1. That municipal officials seriously consider the cost of adequate street lighting and assist in the establishment of ade-

- quate rates for adequate street lighting.
- 2. That municipal appropriations for street lighting be increased. It is quite evident that there is room for improvement in this direction.
- 3. That municipal officials energetically co-operate in the efforts which are being made to include provision for adequate street lighting with city zoning plans.

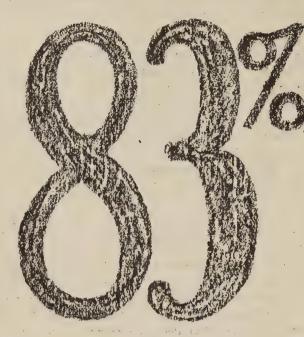
STATE AND MUNICIPAL BORROWING DECLINES

State and municipal bond issues were floated in smaller volume in November than in the previous month and indications now point to a grand total for the current calendar year smaller by at least \$200,000,000 than the 1922 flotations.

State and municipal borrowing, says The Daily Bond Buyer of New York, reached its peak in 1921 when long term loans were put out to a total of \$1,383,368,900. The next year showed a drop of over \$100,000,000 and 1923, as indicated will be even smaller, the normal borrowings of states and cities prior to 1917 were about half a billion dollars annually. Due to the normal growth of the country, the intensive development of highway systems and the tendency towards municipal ownership of public utilities, it is unlikely that aggregate annual borrowing will for many years be as small as \$500,000,000.

The following table, compiled by The Daily Bond Buyer of New York, shows the output of long term state and municipal bonds in November and the eleven months ending November 30th for ten years:

November 30th for ten years:	
	Eleven months
	ending
November	Nov. 30
1923\$85,159,220	\$988,007,085
1922 53,497,002	1,186,198,768
1921121,487,608	1,069,623,024
1920 64,612,511	692,107,121
1919 45,833,309	680,609,157
1918 19,659,392	236,933,567
1917 17,285,168	407,013,367
1916 30,317,657	463,603,118
1915 38,155,503	461,140,872
1014 13 262 997	395 358 569



Saved in Pumping Costs at Elkhorn, Wis. with Fairbanks-Morse Oil Engines

\$1000.00 per Month Saved

There are many similar records of municipal saving on pumping and lighting costs. We shall be glad to send our engineer to go over your requirements and give you detailed recommendations. You will be shown in definite figures just what saving can be made under your conditions.

Elkhorn Light and Water Commission

Elichara, Win.

Phirbanks, Morse & Co., 900 South Wabash Ave., Chicago, Illinois.

Thinking you might be interested in knowing just what your 100 HP Type "I" Engine is doing for us we take pleasure in saying that, since we have been using the engine instead of the electric motor it replaced, our power bills have decreased \$1200,00 per month. The cost of operating the engine has averaged \$200,00 per month. Hence the engine is showing a net saving to us of \$1000,00 per month.

The engine is driving an air compressor used for pumping mater by air-lift, and is under approximately full load whenever running. It operates from 15 to 18 hours daily at an hourly cost of about 42%, whereas the hourly cost of the motor operation was about \$2.50.

Our power plant operators are not skilled ensineers, yet they have had absolutely no trouble with the engine, and start and stop it with ease. Anyone who knows anything at all about machinery could handle it.

We expect to install another of this type engine in a short time.

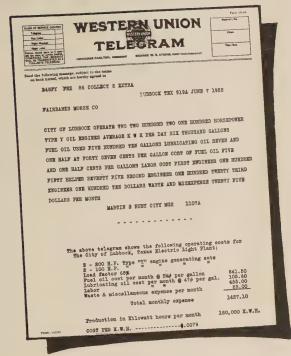
Yours very truly, The Elkhorn Light and Water Comm.

Fairbanks, Morse & Co.

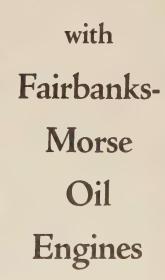
Manufacturers

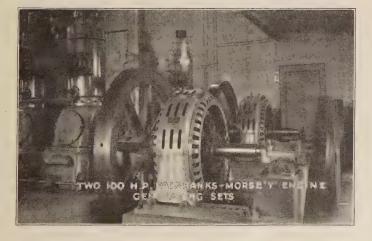
CHICAGO

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Less Than
ONE
CENT
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Manufacturers

CHICAGO

Private and Public Employment

Clinton Rogers Woodruff, Civil Service Commissioner, Philadelphia

There are many popular assumptions that will not bear the test of analysis. One of these is that the methods and conditions of private employment are vastly superior to those of public employment, and that the dismissal of the incompetent and the unfit can be accomplished more easily, speedily and effectively in private business than in public. Again it is well-nigh universally assumed by public administrators that dismissals are more easy of accomplishment under the spoils system, where there are no apparent restrictions, than under the merit system where the claim is that the hands of the responsible heads are tied.

Before considering the conditions of entrance to private and public service, let us consider briefly the much vexed and more frequently discussed question of the exit from it. In public service, at least in Philadelphia and I am sure quite generally elsewhere, under the merit system, it is simplicity itself. The appointing power, who is also the removing power (and never the Civil Service Commission, as is so frequently stated by those who should know better and as is so generally believed by those who do not) has merely to state in simple language the reasons for removal, serve a copy on the employee to be removed and file a copy with the Civil Service Commission. After five days. during which time the employee may put on record his answer to the charges, the removal becomes effective. In the federal service the process is even simpler, because the reasons may be more generally stated. (There are two exceptions in Philadelphia to the above—in the cases of the police and fireman. Because they belong to a quasi-military service and are subject to special influences not existing in other branches, they are guaranteed a trial on the charges. There is another exception, namely, where a religious or political reason is assigned and in that case the Commission has jurisdiction. It is almost unnecessary to say in passing that the experienced administrator is too wise to

assign such reasons. In a little over three years experience as a commissioner, but one such case has heen brought to my attention and that is pending.)

From the beginning the advocate of modern civil service methods has stood for strict rules for selection and easy elimination or evictions. Experience has shown that ample power now rests in the hands of the administrator, if he but cares to exercise it. The trouble is, as a rule, he wants someone to exercise it, because it is a disagreeable task, and it is just as disagreeable in private industry as in public service. Indeed, one of the serious difficulties in modern business is how to get rid of the inefficient and the superannuated, and really less progress has been made there than in the public service. It is quite true that in industry the necessity for earning profits automatically brings about the reduction in forces when the volume of business decreases, while in public service there is a tendency, indeed a strong tendency, to keep men on the force when there is little or nothing to do. This observation, however relates rather to the less highly paid employees, for the desire is equally strong in public and private work to keep a good overhead staff together even during slack times. Moreover, there is an increasing tendency in public work to lay men off and take them on in accordance with necessities, and the establishment of the preferential list is an encouraging development in this connection. When lav-offs are made, both private and public employment managers are "up against it" in determining the order of lay-off, because of the absence of good efficiency ratings. In the words of one expert: "Much has been said about dismissals, but it seems to me that the practice has been pretty well worked out in the public field (except that too few dismissals are made,) while in the private field foremen and others act largely according to their own sweet will without any form of check or control." This contention has been frequently subtantiated in conversation with private

employment managers, who admit that they are not only hampered by the wilfullness or the bull-headness or favoritism of foremen and sub-foremen, but by actual political influence in the case of large employers who administer public franchises or need public favors or privileges from time to time. It might be interesting to ask to what extent the private employment manager has a free hand in making dismissals. He has his superior officers to consider and his foremen, not to mention the labor union, and his work in the direction of dismissal can scarcely be called a bed of roses.

There are a good many pension systems in both public and private fields, but in the main they are poorly worked out, altho greater progress has been made in the former than in the latter, as can be abundantly shown in an examination of such volumes as Epstein's Facing Old Age, and Llewellyn and Jones' Pensions and Principles of Evaluation.

In passing, I might say, that when it comes to making removals under the spoils system, we get into an entirely different realm. Then and there political considerations enter and they are all powerful alike to keep and reject, and seldom any other factor plays a part.

Taking the question of removals or dismissals, by and large, I should say at the present time the public administrator has the best of it by a good many points.

Coming to the question of entrance, what do we find? Are the methods in vogue in private employment superior to those in public, where a carefully considered civil service system prevails? Fred Telford, whose standing in the field of employment management needs no word of mine to describe, has set forth these canons by which to test any systems of private or public employment, and I am restating them in the light of my own experience:

- 1. Classifications: Until positions are grouped on the basis of duties so that those alike can be given common treatment, the employment agency has no tool with which to work and must, therefore, flounder about more or less helplessly,
- 2. Compensations: With "a duties classification" it follows that compensation should have relation to duties. The efficiency of individual as well as the bargaining power and other

factors may still and will enter into the determination, nevertheless duties should be the main thing.

- 3. Selection for entrance and promotion: Knowing the duties, it is then possible to test employees on the basis of their qualifications to perform the duties. It seems axiomatic that this is an essential part of effective employment administration, whether public or private.
- 4. Selection or getting on the pay roll: the tested found duly qualified: It is well known that in public service where there is a good civil service law adequately administered, the appointing power seldom tries to get employees on illegally or out of turn, and in private enterprise foremen frequently put on new employees without consulting the employment manager or anybody else, or put men on at the request of some influential factor. (I know from frank admission that politics does play a part in many a big private concern that comes frequently in touch with the political elements. They need permits and privileges and they "tip" the influential with places. C. R. W.)
- 5. Regulation of service, under which head are to be included transfers, a most important matter; efficiency ratings, an equally important factor; special and annual leaves of absence, and sundry minor details which can be overlooked only to the detriment of the service. All these are much better handled, as a rule, under public than private regulations.
- 6. Separations: Which are usually considered out of their due order, partly if not mainly, because the question is the one which usually comes up first in discussions and which is usually given an undue amount of attention by certain officials who seem to feel that their judgment is sounder and, therefor, to be prefered to a system which experience has abundantly demonstrated to yield, on the whole, the best results for those most directly concerned, whether they be partners or the stockholders of a business or the citizens of the community if it be a public question.

Each of these tests invite interesting discussions, but before proceeding to do so, let me quote from Mr. Telford who has had experience both in public and private employment, in many communities and in America and Canada. It cannot be said that he speaks from a few isolated

experiences or from a one-sided experience or that he holds a brief for one side or the other. This is what he had to say on the general question we have under consideration:

"It makes me exceedingly weary to hear people who ought to be well informed calmly assume that private concerns handle employment matters skillfully while civil service administrators are mere bunglers. It may be it is wise to say this sort of thing for effect, but I am firmly convinced it is not all in accord with the facts. Civil service administration in this country has now been developing for forty years and as I see the situation, there has been real progress which has been rather consistant and which in recent years has been at an accelerated rate. In the commercial field. however, it was only in exceedingly rare cases that employers, large or small, even recognized there was a personnel problem until the war forced the matter upon them. A good many suddenly realized that they had overlooked something of fundamental importance and began wildly searching about for something that would help them. In their eagerness and ignorance they did and are continuing to do many foolish things. Though they have made considerable progress in the last five years, they are still in the kindergarten stage as compared with civil service administrators. As I see it, they have very, very little to teach civil service administrators with regard to employment administration and very, very much to learn from civil service administrators."

This sounds revolutionary, but I believe the facts amply justify it, and I am prepared to say as the result of my own experience as a civil service commissioner and as a long time student of the problem, that more hard thinking has been given to this personnel problem by public officials than by private employment managers, except during the years since the war. Now that the latter have taken it up, I believe that they will make greater progress because they will see that it pays and they develop what pays! A straw that shows the way the wind blows is to be seen in the increased activities of the efficiency experts along these lines at the instance of private in-Right here I want to record the observation that the development in public service has been made at the instance of the public official under the pressure of interested critics

and propagandists. I should like to learn of any effort similar to that being carried on by a special committee, with headquarters in Washington, to test the methods of the civil service commissions. It is a most interesting move and deserves attention at the hands of those industrialists who want to improve their methods and make more money for themselves and their stockholders.

I had a striking corroboration of my contention at a meeting of the Employment Section of the Industrial Association of Philadelphia. The assistant employment manager of one of our biggest corporations, employing many thousands, testified to the value of civil service methods and subsequently put his testimony in these words:

"I have paid particular attention to getting the most out of interviews with applicants for positions. By this I mean, finding out just how near the ideal they are to the positions for which they apply. I believe I have always known most of the vital points of the jobs I have had to fill, both in theory and in practice, but I have never been fully satisfied that I could bring out in an interview, all the points of quality belonging to the applicant. I do not believe I fall down as an interviewer at that, for I do not know that the average employment man does any better than myself.

"For a time I used tests of various kinds, discarding old and substituting new from time to time as I thought necessary, but still doubt remained, and still certain applicants who had passed my tests with good marks proved not to be the logical employee for the position.

"Lately I have made a rather comprehensive study of just what kind of men and women succeed in our various positions, and what kind do I was able to gain much from this study that will be of use to me in the future, and it has been this study that has led me to believe that men and women who have held worth while civil service jobs have desirable ability, especially in the case of stenographers. I also learned that those who had taken the civil service tests and had passed with a high average (and they are not backward in telling the result of such a test) had real ability and more than that, had a marked degree of self-confidence. My study pointed out the desirability of hiring ex-public stenographers, whose extreme versatility gives them added ability.

"This makes the hiring of new employees somewhat simpler I believe, for under my new plan, I pick the type I want, and look for the ability in the record of employment. The indications are that the plan works for I have recently been complimented on my selection, by heads of departments. And after all, anything that will bring compliment to the employment department from the heads of departments it serves is worth while. We are making headway."

Classification of positions and duties is looked upon by some in public life as the "lucubrations of the minds of academic nuts." and yet nearly every large public jurisdiction has a classification actually in use. In some, such as New Jersey, it has been formally and legally adopted. In others, like Philadelphia and New York City, studies have been made and are gradually being followed, altho the formal plan proposed has not been adopted; informally the classification, sometimes somewhat modified, is used for most purposes. I recall no large jurisdiction which has a civil service commission which does not in effect have a working classification. In the private field, on the other hand until very recently, almost nothing has been done with regard to this fundamental matter and most large private employers do not even know there is such a thing, or if they know of it instantly repudiate it as impractical, undesirable, wholly unsuitable. Nevertheless, I received a short time since a little book entitled Analysis and Classifications of Performance in Vocational Relations. It is from the pen of I. Osborn Hopwood, of the Personnel Department of the Philadelphia Electric Company, one of the most successful public utility companies in the country, This suggestive book offers a tangible basis for definitely judging relative values in occupational performances. It shows that performance consists of acts ranging from simple reflexes to complex rational acts and that, in organized division of labor, the intelligence status of performance accords with its production status. A key for thus analyzing, characterizing and classifying performance is included.

Procedure with forms and illustrations is set forth for the consideration of the performance of positions without regard to the persons occupying them, in defining and grading service and establishing a basis for equitable compensation rates, and for considering the performance of persons with regard to the requirements of their positions or occupations, involving placement, follow-up on progress, and training, including judgment and direction of the self and others in vocational relations broadly. In making this description I am adopting the words of the publishers.

In a letter accompanying this volume Mr. Hopwood said:

"It is my idea that in organized division of labor, that is, within the corporate organization as an organized whole, performance fundamentally differentiates along levels as to scope of selective features and that these levels range from the higher, involving constructive planning, to the lower, involving only the simplest kinds of selective action, essentially dictated by authority or experience. That is, performance within an organized whole differentiates along intelligence levels and these levels can be readily outlined and and "job" units, as defined by performance specifications, can be readily classified accordingly.

The significance of this is that relative production control is according to this classification and that it furnishes a common denominator which is fundamental and in terms of which all positions within an organized whole, both in management and standard practice and including offices, shops and all departmental lines, can be graded according to their natural correlation in the system of the whole for production. The intelligence status and the production status of the performance of a job (not of the persons) are reciprocals. Consequently, rates of compensation can be made to co-ordinate equitably on this basis."

This may be the outpouring of an "academic nut," but the man who writes is paid for results by a company that pays dividends and expects to pay them. Evidently he considers that his views are practical and practicable, or he would hesitate to publish them, and the Philadelphia Electric Company is not an eleemosynary institution. Indeed Mr. Hopwood declares that it is just as feasible to classify fundamentally the differentiated units in an organized division of labor as it is to classify animals and plants or

anything else where a fundamental basis of relationship is determined. If we state the essential features of performance of each job as its general characterization, he declares, it is a much simpler process than it may at first appear to be, to classify it properly, because the individual units in any system can be readily placed when we know only a few of their essentsal features, and once the system is laid out upon a fundamental basis, it is camparatively easy to assemble the units in line. He says:

"If we find a tooth in a fossil bed we can tell whether the animal from which it came was a cud chewer, a cat, or something else and, given a few bones, we can reconstruct the form of the whole. So, with jobs in a division of labor, from performance characterization we can place them in their levels of production control if we lay out and define the levels in the system of the whole, which is not difficult to do and, for all the practical considerations, the number of levels is not over fifteen in any organization."

Other books dealing with this and other phases of the employment problem are beginning to come from the press and they are primarily for private industry, not public work, for in the latter field for many years these problems have been receiving careful attention. All of this certainly shows the trend of events and also shows that the public official has been the pioneer, for language which is new to the industrialist is the accustomed talk of the modern civil service administrator.

In the public field the working out and adoption of comprehensive compensation plans has not kept pace with the classification of positions, but we have gone some way and are continuing to travel, which is the important thing. In the private field almost nothing has been done except as action has been forced by labor organizations or by public regulatory bodies. In fact, without classification the adoption of a sound compensation plan is impossible, but as a beginning has been made with classification, we can reasonably expect there will be a complementary development in the matter of compensation.

As to testing prospective employees I need not point out that civil service commissions have done their very best work in this field based upon the duties they are to perform. Telford thinks they have rather failed with regard to such po

sitions as junior clerk and patrolman, where applicants have had no experience and know little about the duties of the positions they are seeking. I am inclined to agree with this feeling as there has been a steady improvement in these examinations as well as in the product, a fact that would seem to be substantiated by the quotation made a short time back from the letter of an assistant employment manager. The use of intelligence tests is being tried, but with what permanent results it remains to be seen. In the private field reliance has been placed largely on "hunches," personal interviews, and rather simple written applications. The general practice has been to act on a hunch and when the man is found unsuitable to transfer him about until a place is found for him where he can do something. If such a place cannot be found, he is summarily fired. A few years ago employment managers discovered the intelligence test and since have been vainly trying to substitute it for the duties test of the kind developed by civil service commissions. Books like Trabue and Stockbridge's Measure Your Mind, have unquestionably been prepared to meet an expected demand along these lines. Employment managers have yet, as a rule, to learn its limitations and to borrow from public employment administrators the use of the duties test.

To summarize, I should say that the public have all the best of it in the matter of classification, working out and adopting compensation plans, testing prospective employees, and in general in developing the technique which is essential to the central control of employment matters. The private field is far, far ahead in the training of employees. Both have fallen down on efficiency ratings and adequate retirement systems. I should say that on the whole the private interests secure better results because a certain standard of efficiency is forced on them by the requirements that they make profits, but that as far as results are due to intelligent handling of employment matters, the public is infinitely better served. At the same time, in making comparisons we must bear in mind that there are two elements in the public field, politics and religion, which make a stricter control necessary. That so much of constructive work has been accomplished, irrespective of these persistant tendencies or factors, speaks well for the general administration of civil service laws and rules in the United States.

Standard Hose Threads

Hose Threads of Seven Hundred Cities Have Been Standardized

On the seventh day of February, 1904, the city of Baltimore faced extinction. Fire raged at a hundred points about the city, the flames leaping from block to block, driven before a gale that was augmented by the rising heat.

Wearied after endless hours of tense combat, but stubbornly carrying on, the fire department watched the conflagration gain, realized that it had passed beyond control, and, following a hurried consultation, flashed an "S O S" to Washington, to Philadelphia, to New York. From these points, within a commendably brief time, trains conveying men and apparatus sped on cleared rails towards the stricken Maryland metropolis.

When, however, these reinforcements arrived in the burning city, were detrained and rushed off to designated stations, they found to their dismay that all attempts to get into direct action were useless—useless because of a slight difference in size and threading between the couplings on the street hydrants and those on the visiting apparatus which rendered connection utterly impossible. So, impotently belching smoke and sparks, the engines stood idle, totally valueless and only contributing to the uproar and confusion. A few of them, indeed, were able to operate by taking suction from the harbor, but their assistance was far from what it might have been, for they were hampered enormously by the salt water and by the necessity of pumping through unusually long lines of hose.

At length, as everyone knows, the fire was brought under control and extinguished; but it remains among the safest of wagers that not a few of the fifty millions representing the total recorded loss were piled up as a direct consequence of these unmateable couplings. This was the toll exacted by a purblind self-sufficiency on the part of all four communities.

Although complete destruction thus was happily averted, the episode came near enough to the tragic to throw into sharp relief the constant danger of varying hose threads in neighboring cities, or in communities within easy calling

distance of each other, and it aroused to action many prominent fire department officials and fire prevention engineers.

As early as 1872, following the Boston conflagration, during which similar difficulties, equally insurmountable, were met with in attempting to hook up apparatus that responded from surrounding towns, agitation had been commenced for a standard thread. Some work was done at that time in eliminating "misfits" in Eastern Massachusetts, but it was sporadic and short lived. Not until the heart of Baltimore had been burned out did anything resembling general interest in standardization take shape among those concerned with fire loss reduction.

More than one subsequent fire, however, was to reillumine the defect—including a sweeping conflagration at Mobile, Alabama, in 1919 where vital time was spent in frantic and unsuccessful attempts to couple up hose brought from a neighboring shipyard, and, a little earlier, at Paris, Texas, in 1916—before real progress in standardization began to be noted. And even today, despite the costly lesson of twenty years ago, many cities continue to ignore the additional safety that lies in uniform hose couplings.

NATIONAL STANDARD IS ESTABLISHED

Within a year or two after the memorable Baltimore experience, specifications for a national standard had been promulgated by the National Fire Protection Association. They met at once with staunch backing and were so widely accepted that these specifications are the ones employed today in the effort to bring order out of inexcusable chaos.

Through its Committee on Fire Prevention and Engineering Standards, The National Board of Fire Underwriters, in 1919, took hold of the work. Since then the aim has been to extend practical help in the labor—which is neither difficult nor expensive—of conversion to standard, and, further, to solicit the cooperation of every national organization likely to be concerned in this belated fire protection measure. In this way more has been accomplished since the spring of

1920 than in the preceding half century towards removing these small but effectual barriers to inter-city aid in time of need.

For the most part, standardization is spreading city by city. But in one case legislation has enabled the work to be undertaken on a statewide scale. Last February, Oregon showed its foresight by adding to the Fire Marshal Law the following:

"An act to establish a standard of threads on fire hose couplings and hydrant fittings to be effective in the state of Oregon and to provide for the standardization of existing equipment for fire protection purposes.

Be It Enacted by the People of the State of Oregon:

Section 1. "That after the passage of this act all equipment for fire protection purposes purchased by state and municipal authorities, or any other authorities having charge of public property, shall be equipped with the standard thread for fire hose couplings and hydrant fittings designated as the national standard as adopted by The National Board of Fire Underwriters, which standard is hereby designated as the standard for such equipment in the state of Oregon.

Section 2. "The standardization of existing fire protection equipment in this state shall be arranged for and carried out by or under the direction of the state fire marshal of Oregon. The state fire marshal is authorized to proceed to make such changes as may be necessary to standardize all existing fire protection equipment in this state immediately after this act becomes effective. He shall provide such appliances as are necessary for carrying on this work and shall proceed with such standardization as rapidly as possible and complete such work at the earliest date circumstances will permit.

Section 3. "The state fife marshal shall notify industrial establishments and property owners having equipment for fire protection purposes which it may be necessary for a fire department to use in protecting the property or putting out fire, of the changes necessary to bring their equipment up to the requirements of the standard hereby established and shall render them such assistance as may be available in converting their defective equipment to standard requirements."

Approximately 700 protected communities

have been brought into conformity since the National Board began to foster the movement. Others are falling in rapidly as the truth is impressed upon them that no American municipality is immune to the conflagration menace and that any one of them some day may urgently require aid in subduing a tenacious fire.

FURTHER BENEFITS OF STANDARDIZATION

Standardization, it is well to remember, is of benefit to a community in other ways besides making possible effective outside assistance. It permits the connection of department hose to the standpipes of factories, office buildings and other private systems, and it also provides ideal fits, perfects mutilated or badly worn threads, and insures uniformity in ordering new fittings.

At a recent meeting in Washington of the National Fire Waste Council, a member of the engineering staff of the National Board, J. H. Howland, who is closely in touch with the practical side of standardization work, read a paper in which he reviewed the history of the movement, demonstrated the process of conversion and urged participation by the Council, through the medium of the Chamber of Commerce of the United States. Mr. Howland's talk follows, in part:

The first concerted effort to eliminate "misfits" in the indispensable fire hose thread immediately followed the Boston fire of 1872. This was particularly effective in Eastern Massachusetts, where a thread somewhat coarser but otherwise not unlike the present nationtal standard was extensively adopted. Other sections of the country, little realizing that they were dealing with a subject of country-wide importance, went at this problem independently. New York City selected a much smaller and finer thread, which became, through more general use, a local stand ard in nearby New Jersey and New York state municipalities. Philadelphia, departing widely from the general practice, introduced the Jones snap coupling, which was afterwards brought into use by a number of cities and towns in that section of the country. Baltimore put in a screw coupling of unusually large diameter, while Washington adopted the same as that employed in eastern Massachusetts. The extreme west, following the precedent set by San Francisco. adopted an intermediate thread which was considerably under the standard size.

So it came about that not only in different sections of the country, but in all our states and. a number of instances, in a single municipality' widely different and frequently non-interchangeable fittings were permitted to be attached to the indispensable fire hose and hydrant outlets. This condition was tolerated in spite of the fact that the preservation of human lives and property values was more dependent upon these connections than upon all other fire-fighting facilities. Is it at all suprising that the confusion incident to this situation has proved to be so large a factor in the spread of so many of our most disastrous fires? While the development of such conditions was inexcusable from the very start, it is astonishing that a simple and inexpensive remedy was not effectively applied until recent years.

Although the organization first to undertake country-wide standardization of hose threads was the International Association of Fire Engineers, it was the Committee on Standard Hose Couplings, of the National Fire Protection Association, which really put the movement on its feet. This committee suceeded in getting the "National Standard Fire Hose Thread" so strongly supported through giving to it wide publicity that it cannot now be supplanted. However, the Committee was unable materially to remove the chaotic conditions existing in the field.

Finally it was decided that the work of carrying on this standardization movement could best be taken over by the Committee on Fire Prevention and Engineering Standards of The National Board of Fire Underwriters. But war activities interfered and it was not until early in 1919 that this organization began to function effectively in this matter.

At the very outset it was apparent that the lack of proper tools for standardizing the great majority of existing threads had been the principal factor in retarding progress throughout this long term of years.

Complete sets of tools accordingly were made available and first tried out in May, 1919, in Hunterdon County, New Jersey. Two months later the fittings in three of the municipalities in Indiana were completely standardized. The results thus obtained were so encouraging that organized movements for state-wide standardization were then and there suggested and a

pamphlet on the subject was issued and widely distributed by the National Board in December, 1919, which helped further to arouse interest.

WORK NOW UNDER WAY IN 17 STATES

Michigan and New Jersey took the lead in 1920, and they were followed by Indiana, Minnesota, Ohio and Rhode Island in 1921, with the result that we now have seventeen states in which this movement is organized and actually under way. Since the spring of 1920 upwards of seven hundred of our protected cities and towns have had their fire hose threads completely standardized.

It is not possible here to mention all of the public and private bodies which have rendered valuable assistance in advancing the movement. Among those that have recently become particularly active are: The American Society of Mechanical Engineers; Amercan Water Works and Electric Company; Brass Hose Fittings Manufacturers' Association; Chamber of Commerce of the United States; Connecticut Fire Chiefs' Club; Fire Chiefs' Club of Massachusetts; National Screw Thread Commission; New England Association of Fire Chiefs; New England Insurance Exchange; Oregon State Legislature, and Railway Fire Protection Association.

We are safe in stating that no similar movement heretofore started has met with stronger approval, greater coordination of effort or more generous public support, with the result that in the past three or four years, pleasing progress has been made.

Yet we are far short of the desired goal, as indicated by the fact that of approximately 8,000 protected cities and towns in the United States, about three-fourths still have non-standard threads. That more rapid progress has not been made cannot be attributed to the lack of wide publicity or to the need of further awakening local interest in the various cities and towns. What is most needed are the tools, necessary authorizations, supervisions and legislation.

There is not one of your local organizations but could well afford, in the interests of its municipality and of this national movement, to purchase a set of tools, costing about \$250, procure the necessary authorization from the city or town officials and see that ways and means are provided for some experienced mechanic to supervise the work of standardization.

Lower Pumping Costs

Oil Engines Reduce Pumping Expense

Municipalities considering the cost of water supply operations will do well to investigate thoroughly the use of Oil Engine power for this as well as electric light service.

Many communities are at the present time, using electricity for water pumping, and the following cost comparison between a 50 H. P. Motor and a 50 H. P. Oil Engine, will no doubt be interesting.

COST OF OPERATION PER HOUR									
		OIL EN	OIL ENGINES		ELECTRICITY				
H.P.	% of Load	Lub. Oil 6 Fuel Oil 1 5c		1c per KW	2c per KW				
50	100	.1863	.2205	.373	.746				
45	90	.1705	.2016	.3375	.6750				
40	80 ″	.1554	.1853	.2984	.5768				
35	70	.1414	.1671	.2611	.5222				
30	60	.1298	.1526	,2238	.4476				
25	50	.1177	.1384	.1865	.3730				
20	40	.1036	.1215	.1496	.2992				
15	30	.088	.102	.1120	.224				

The above figures cover Fuel and Lubricating Oil costs based on standard guarantees that can be obtained from reliable manufacturers.

It is to be noted that at 100% load, the fuel and lubricating oil cost of the Oil Engine is .526 cents per hour cheaper than the cost of electricity at 2 cents per KW. or electricity at 2 cents per KW. costs 3.4 times as much as oil.

Of interest in this connection is the Oil Engine plant at the City of Elkhorn, Wisconsin.

The records of the Railroad Commission at Madison, will show the following costs for the year 1921:

 Cost of operation,
 \$21,863

 Income
 16,295

 Loss
 \$5,568

During this period water was pumped with electricity costing approximately 2.85 cents per KW. hour, and an old Corliss engine used to take the surplus load. In May 1922, they started using a 100 H. P. Oil Engine belted to a 18x11x14 Class B Air Compressor operating at 150th air pressure, replacing electricity and steam,

for their deep well operations, their booster pumping suill being done by electricity.

The 1922 report to the Railroad Commission shows:

COST OF OPERATION

Total saving over year 1921, \$7212.

Total saving per month by

Oil Engine Installation \$1030.

Approximately the same amount of water being pumped and sold both years.

Being entirely satisfied with the economical operation of the 100 H. P. installation, this city in June 1923, completed the erection of a 50 H. P. engine of the same make belted to a 5"-2 stage centrifugal pump, and for the last half of 1923, have been conducting their water pumping operations with Oil Engines.

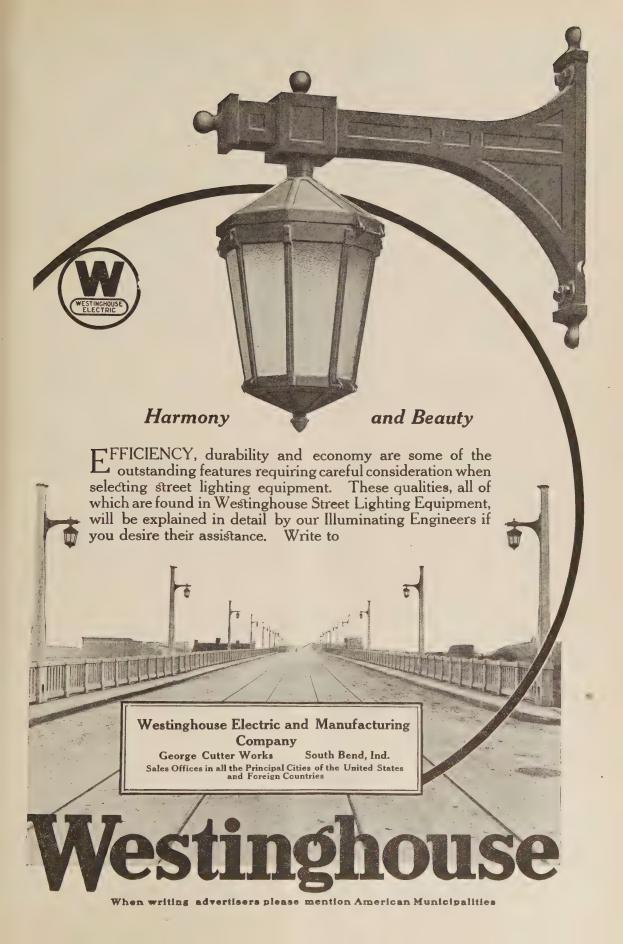
FAIRBANKS-MORSE COMPANY

In this issue the Fairbanks-Morse Company have a double page advertisement of their oil engines. The oil engine is the solution of the pumping costs of many cities and towns that now operate steam plants. If you have a steam power plant and are not showing the profit that you should show you should investigate the merits of oil engines for your power.

A little girl from the city had been visiting in the country, and was being questioned as to what kind of a time she had. Finally, someone said, "I bet you don't know how to milk a cow."

"Bet I do," she said.

On being pressed further for particulars to how it was done, she replied: "You take the cow into the barn and give her some breakfast food and water, and then you drain her crankcase."



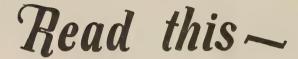
Before you buy Road Oil-



"Standard Oil Company (Indiana) Chicago, Illinois

Gentlemen: --Remarkable results have been achieved in this county with Standard Asphalt Road Oil. The oiled surfaces hold the heavy traffic and withstand traffic conditions imposed on a road by snow removal. One gravel road on which your oil was used, carries over 2600 vehicles a day and is open winter and summer. I certainly recommend Standard Asphalt Road Oils."

Name on request.



YOU can have good oiled roads this year, roads that will stand up to the traffic and the elements, if you will apply the right kind of road oil.

The right road oil, properly applied, will give you roads that will withstand all except the heaviest traffic. The right road oil will bind the materials together, compacting a surface on which

rain, snow and frost will have no effect. It will penetrate into the solid body of the roadbed, fill all voids and prevent peeling and raveling.

It will give you a road of which you may justly be proud. Yet the total cost for application and maintenance will be low enough to satisfy the most economical taxpayer.

Standard Asphalt Road Oil

is the right road oil for you to use. It is made in four grades, varying in asphaltic content, to meet the different conditions imposed by variations in soils, traffic and general road conditions.

From among the many letters we have received as to the success of this product, we quote the above excerpt written by a well-known county engi-

neer in Northern Michigan, whose name we will gladly furnish you upon request. Note that the letter emphasizes particularly the way the oiled roads withstand heavy traffic.

You, too, can have roads equally as good. Be certain of getting the right road oil, however. Specify and insist upon Standard Asphalt Road Oil.

To help you select the right oil for your roads, and to help you apply it properly, our road engineers have prepared a booklet which goes into the matter in detail. It will be our pleasure to send you a copy upon request.

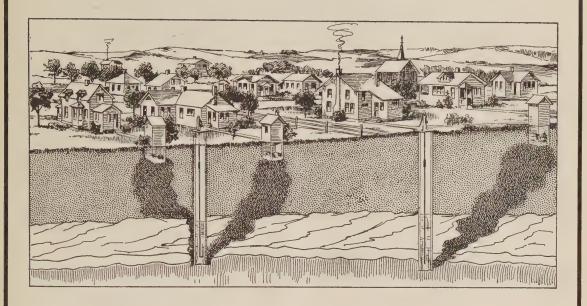
STANDARD OIL COMPANY

910 S. Michigan Avenue

CHICAGO, ILLINOIS

When writing advertisers please mention American Municipalities

Is This a Picture of Your Town?



Privy Vaults and Cesspools Leaking Into Your Wells.

Three-fourths of all town wells examined last year by our State Board of Health show this condition, endangering the health and physical condition of the citizens of our smaller towns. Proven conclusively by the examination statistics of the recent draft boards. These conditions causing typhoid fever, dysentery, hookworm and tuberculosis, have been eliminated in our cities by building sewer systems, which may now be built at small cost.

We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the *State Board of Health* and must be built eventually by every town.

Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

GUY E. SMITH, Secretary INDIANOLA, IOWA

"OUR SERVICE IS WITHOUT CHARGE"

Classified Advertisements

Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

FOR SALE at a Bargain—About 30 Boulevard post globes, 10 and 12 inch, some frosted and some clear. Are changing style of posts. Right price if you can use all of them. Town of Central City, Iowa, R. D. Minehart, Clerk.

WANTED—Chemical tank 40 or 45 gallon capacity mounted on pull cart, turn over type desired. R. H. Finnell, Whittemore, Iowa.

FOR SALE—A hand drawn hose cart in good condition. Address Otto. A. Hollander, town clerk, Schleswig, Iowa.

FOR SALE—City Clerk's Filing Cabinet and:Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable documentfiles 13½ in x 4in x 10¾ in. Cupboard: lock doors and drawers 30in. wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

FOR SALE—Austin-Western Street Sweeper. Never been used as size of city necessitated something larger in way of cleaning streets. Address City Clerk. Valley Junction, Iowa.

FOR SALE—1 Ingersoll hand air compresser class F R. 1, 10x12 Steam Cylinder 10x10, Air Cylinder.
1 Fairbanks Morse 6 in. belt driven centrifugal pump. 1 Stillwell Heater 100 horse. 1 Cook Pump head size C, cylinder and pipe complete. 500 ft. 3 in. pipe. A quantity of 8in. pipe. City Clerk, Alta, Iowa.

FOR SALE—1 Laudlaw Dunn Gordon compound pump. One million capacity, in good condition. Size stroke 11 x 16 x 10 x 18. C. E. Boblett, Clerk, Perry, Iowa.

FOR SALE—One hundred eighty lineal feet of five inch wrought iron well casing which was taken out of the old well, but in good condition. For sale at twenty-five cents per lineal foot, F. O. B. Ryan. J. E. Cody, Clerk, Ryan, Iowa.

FOR SALE—One two story building located in Fairfield Iowa, built in 1920 out of hollow tile, rents for \$100.00 per month with a five year lease dated April 1st 1922, priced to sell, we need the money. L. F. Frye, Treasurer, West Point, Iowa.

WANTED—A second hand horse drawn street flusher. W. E. Gilchrist, City Clerk, Vinton, Ia. 423

WANTED—Position as manager of a town lighting system. A. V. Landgren, 2437 South 24th Street, Omaha, Nebr. 323

WANTED—An Iron or Copper Chemical Tank of 40 gallon capacity. One of the turn over type, and unmounted. J. Theran Murray, Clerk, Schaller, lowa.

FOR SALE—Second hand air pressure tank, 24 ft. ong, 5 ft. diameter, 5-16 inch iron, ¾ inch head, man. hole 12x18. Previously used for air pressure only-In good condition. Can be used for any purpose. Write for price. Town of Mediapolis, Iowa, J. E. Berry, Clerk.

FOR SALE—Two deep well pumps, one 20 h. p. gas engine, 20 h. p. A. C. motor, and other pumping equipment. Write Verlin L. Sweeley, town clerk, Adel, Iowa.

FOR SALE—Cheap. Myers Bulldoser Pump Jack, working head from 14 to 20 inch stroke; 2-40 inch Belt Pulleys 6 inch face; good as new. If interested, write to Geo. Harder, Clerk, Keystone, Iowa. 93

WANTED—To communicate with city or town who has or intends to install new cells—and will have the old ones for sale, state all in first letter. C. F. Fitzgerald Town Clerk, Alvord, Iowa,

WANTED—One Ton or Ton & one half Truck, that can be remodeled into Chemical Fire Apparatus. When answering, please state Model, how long been used, & price of same. W. T. Thorp, Baxter, Iowa. 83

WANTED—Fire Bell or alarm—preferably second hand. Book Safe—Fire-proof not less than 18" deep and 48" high—inside measurement,—Preferably second hand. Watchmans time Clock—with at least four keys. E. S. Genung, Clerk, McCallsburg Ia.

FOR SALE—Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, lowa.

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, Iowa.

FOR SALE—Two Murray Cutting Shaker Grates (36 square feet) both in excellent conition, Price \$50, EaF. O. B. Cars. Address City Clerk, Independence, Iowa.

FOR SALE—By the city of Ottumwa, Iowa, one 20-40 HP J. I. Case Gas Tractor, one 8' Aurora Reversible Grader Engine Hitch, one, Russell's Scarifier, fair conditton, one Aurora Rock Crusher, No. 1 size. Price on application. Address M. A. Sheehan, city clerk, Ottumwa, Iowa. 222

FOR SALE—One two ton elevator 2½ horse-power motor. Can be used in any three story building. L. F. Frye, Treasurer West Foint, Iowa. 222

FOR SALE—One 50 horse power motor Wagner make, two phase variable speed, 600 R. H. M. and one 20 horse power of same make and type, prices \$450, and \$300, both motors in first class condition. If interested write at once to city clerk, Independence Iowa.

FOR SALE—One 75 h. p. Murray Corless Engine purchased new by us in 1910, One 125 h. p. Murray Corliss Engine purchased new by us in 1915. Neither of them have been used since Dec, 1920. Reason for selling, put in high line service. Address Town Clerk, Earlham, Iowa.

WANTED—If you have any apparatus or equipment that you do not need advertise it for sale in this classified department and give some other city or town a bargain.

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THE Quality of Vitrified Paving Brick always is certain, tangible, determinable before the brick are laid on the road. Their durability can be measured with exactness before the taxpayers' money has been spent. This is one of the reasons for public confidence in

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Wood Tanks

Steel Towers

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Contracts for summer erection should be made now

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(State Highway)
South Milwaukee
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Watertown
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Pronounced "Vī-bro'-lith-ic"

Booklet V-1 describes Vibrolithic more fully. We will be glad to send it on request.

Tax-payers today judge pavement almost solely by the riding qualities and appearance of the surface. If it is free from waves, bumps and cracks, they are pleased.

The *Vibrolithic* method of constructing concrete pavements produces a smooth, neat riding surface which is also skid-proof. Hard stone vibrated into the wearing surface prevents the development of waves and bumps, and provides maximum resistance to wear. The dense concrete resulting from vibration practically eliminates cracking.

BUT, in addition to having a good riding surface, *Vibrolithic* pavements are durable and structurally sound. They possess maximum density which assures adequate beam strength * * * *

These *Vibrolithic* qualities insure:

- (1) High load carrying capacity.
- (2) High resistance to heaving and frost action.
- (3) High resistance to absorption of moisture.
- (4) High resistance to damaging effects of expansion and contraction under changes of temperature.

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310 Securities Building DES MOINES. IOWA

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Badger Compounding Valves

Extra heavy gear trains, careful design and choice of materials to avoid corrosion and eliminate friction as far possible, ample frost protection by means of breakable bottom plates, these are just a few of the points that insure long, accurate, and therefore economical, service on the part of Badger Water Meters.

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Badger Meter Manufacturing Co.

111 West Washington Street CHICAGO, ILLINOIS

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SPECIAL ROAD OILS

Over 60 Iowa Cities and Towns use our Road Oils exclusively
We also operate a number of our own equipments, applying these materials for those customers
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Prices are now cheaper than they have been for years. The entire cost is only a few cents per square yard, which can be assessed to abutting property if so desired

Have our representatives stop and explain our special materials and methods at no obligations to

Have our representatives stop and explain our special materials and methods at no obligations to you.

IOWA ROAD BUILDING COMPANY GOOD BLOCK, DES MOINES, IOWA

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Correspondence is invited

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ATLANTA Ivy & Baker Sts. LOS ANGELES 251 Central Ave.

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"Two million six hundred thousand Trident Meters made and sold"
"One million in eight years"
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They may cost you a trifle more than others But in the judgment of the majority of Purchasers, As evidenced by their unprecedented sale, They are worth the difference and "then some"



Neptune Meter Company

New York

Chicago Office, 565 W. Washington Boulevard

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IS A

Superior Pavement

BECAUSE

it is composed of the highest quality of materials so combined as to give maximum stability and wear in a resilient waterproof surface.

Warren Brothers Company through its extensive laboratory and field inspection and research organization has spent more than twenty years in perfecting the selection of the proper materials and the most efficient methods of using them.

Every square yard of pavement constructed is laid under the supervision and with the advice and collaboration of Warren Brothers Company, whose interest in securing the best results is greater than that of any contractor, official or property owner.

More than 97,000,000 square yards have been laid in over 650 cities and municipalities throughout the world, many cities using no other type of pavement, and a large majority awarding repeat contracts for Warrenite Bitulithic year after year.

Send for literature and specifications.

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1648 Otis Building

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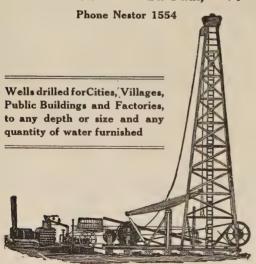
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THE INSIDE STORY ofIOWA POSTER ADVERTISING

"Recognizing the great power of our medium, we should use it for the general good by devoting space to matters of general happiness and welfare."

This is paragraph 10 of our Standards of Practice of which we gave an explanation last month. We said at that time that Poster men believe business to be indebted to society, and now the converse.

Society is likewise indebted to business. In the case of Poster Advertising society has this business to thank for the national service of information in 11,000 cities and towns throughtout the United States. The colorful 24-sheet posters carry the messages of manufacturers, making it possible for you who read this advertising to purchase better quality goods at a smaller price. The corner store economics which attribute the high cost of living to advertising is an example of returning evil for good. For example, Palm Olive soap posters, which advertise soap on all Iowa Poster Panels, reduced the cost of Palm Olive soap to 10c a cake. Without national advertising, which plays its part in the huge production, it would be impossible for you to buy Palm Olive soap at any where near a 10c price.

Too seldom the public realizes what a small part of the purchase price is chargeable to advertising. For example, on a well advertised can of soup 17/100ths of a cent to a can was the advertising cost.

Society is indebted to Poster advertising for further reducing the cost of advertised goods and making it possible for everyone to secure higher quality goods at a lower price. Poster Advertising by this service has admittedly raised the standard of living for American people and the duty which society owes to Poster Advertising is to protect it against unfair, malicious or ignorant attack.

Iowa Poster Advertising Association

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and Sleeves

Your Inquiries Respectfully Solicited

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Oskaloosa, Iowa



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Manufacturers of Cast Iron Water and Gas

PIPE

By Sand Cast and deLavaud Processes. Fittings, Flange Pipe and Fittings.

For your Convenience in Getting Quick Delivery, Stocks are Carried at Chicago, and Kansas City

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ther Sales Offices

Los Angeles, Cal. San Francisco, Cal.
Dallas, Texas

How About Your Ordinances

ARE your ordinances in such shape that you can tell anything about them?

In many cities and towns the ordinances have not been revised for years and many of them conflict with the state law.

If your ordinances are not in good shape, better have them revised.

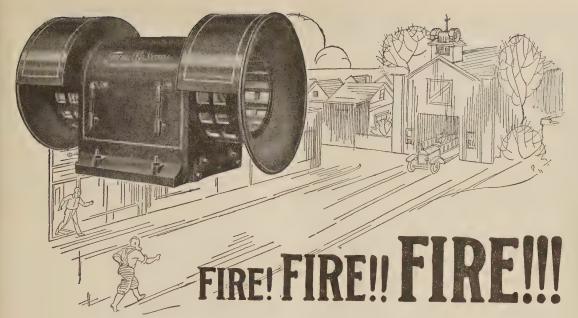
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We Buy Iowa School, County, City and Drainage Bonds

- ¶ You can avoid costly mistakes and delays by using our service.
- We furnish accurate legal proceedings which insures you against technical errors and defects in bringing out your bond issues.
- ¶ Correspondence invited.



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Approved by the Underwriters' Laboratory of the National Board of Fire Underwriters.

> Approval dated October 11, 1918

IT IS THE FIRST FEW MINUTES THAT COUNT

A touch of a button from your central station or fire box and the *Federal Electric Siren* shrieks its alarm.

Loud - distinctive - alarming. It is heard and recognized instantly day or night. It will get your firemen out at once. Saving a few minutes means the difference between a small fire and a disastrous conflagration that will set your city back for years.

Absolutely dependable. Inexpensive to install and operate. An average of \$2.00 per year for actual current used is the only expense, and an occasional oiling the only attention required.

Mail the coupon. No obligation on your part.

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i loade della latti intermentali ana pricos en a 1200	
NameOfficial	Position
Street NoCity	State
Our town has Population.	
Our Current Specification	VoltsPhase.

Please send full information and prices on a FEDERAL ELECTRIC SIREN for our town

.. fire boxes.

Make of box.....



One of These 28 Offices Is Your Office

Look at the map. Find your office—the one nearest you. This is one of the 28 offices of the Portland Cement Association. Each has a staff of men whose business it is to supply you with information on the uses of concrete.

Whether you use concrete or have it used for you, call upon your office as your needs require.

We have for distribution helpful booklets on the many uses of concrete. They represent the accumulated knowledge and experience of twenty-one years of Portland Cement Association service. Like all other helps which the cement industry offers through the Portland Cement Association, there is no obligation.

Our booklet "Concrete Around the Home" may interest you. Send for it today

PORTLAND CEMENT ASSOCIATION

A National Organization to Improve and Extend the Uses of Concrete

Atlanta Birmingham Boston Chicago Dallas Denver Des Moines Detroit Helena Indianapolis Jacksonville Kansas City Los Angeles Memphis Milwaukee Minneapolis New Orleans New York Parkersburg Philadelphia Pittsburgh Portland, Oreg. Salt Lake City

San Francisco Seattle St. Louis Vancouver, B. C. Washington, D.C.

American Municipalities

February, 1924

Vol. 46, No. 5

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, lowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, - - \$1.00 per year Advertising rates made known on application

"For forms of government let fools contest, What'er is best administered is best." Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

The value of co-operation in legislative matters was well demonstrated this last month,

An amendment was proposed to the bill dealing with municipal utilities that in effect would have made it impossible for a city or town to have extended municipal ownership.

The letters written members of the house of representatives by municipal officials in Iowa convinced the members of the legislature that such amendment was not desired and the house unanimously voted to put the law back as it is at present.

Without the League of Iowa Municipalities and the co-operation made possible by the League this result could not have been accomplished.

This once more proves the statement that has been made in this column that members of the legislature desire to do what their constituents desire.

Members of the legislature should not be criticised if they do not carry out the will of the people if they do not know what the people want.

Keep in touch with the work of the legislature and let your senator and representative know what you desire and they will usually comply with your requests.

Paving contracts are being let this winter at a considerable reduction over last year and if the material men will keep the price of material at a reasonable figure this will be a good year for both contractors and material men.

Firms selling the cities and towns are more and more appreciating the value of American Municipalities as an advertising medium.

You should study the advertising pages and whenever possible give our advertisers the business.

The more valuable our magazine is to the advertisers the more firms will advertise and the more advertising we get the better magazine we can give you.

In every town where an election is held this year the officials should carefully read the statement of the law relating to elections.

Part of the report of one of the officials of New York City is published in this issue as a sample of the reports they made in that city.

It is certainly interesting reading and if the rest of the report keeps up to this standard it is certainly a report that will be read by the people.

HIGHWAY SAFETY

The perfection of a successfully tested highway safety guard applying the principle of aerial life net to prevent embankment, bridge and curve accidents which cost the lives of hundreds of motorists annually was announced at the Chicago Good Roads Show the week of Jan. 14.

The appliance, a ribbon of woven wire so fabricated as to absorb impact, is designed to replace wooden rails, stone walls and cables along highway "danger points." Placed on top of curves, cliffs and at bridge approaches and sides it stops skidding or speeding machines that hit it by the stretch of its fabric without destructive impact or the ordinarily serious damage to the car or injury to the occupants.

Tests of the guard demonstrated that it is impossible for a machine speeding as high as 45 miles an hour to break through it, according to W. T. Kyle, general manager of the Page Steel & Wire Co., who sponsored it. It was produced by the Page Co., as the result of two years of highway engineering experiments "in the interest of public safety" and is comparatively inexpensive, according to Mr. Kyle.

"Forty per cent of highway accidents and many of those in cities result from cars going over cliffs or bridge sides," said Kyle. "Highway engineers have for years been searching for a guard to replace wooden rails, which serve merely as a warning, and stone walls and cables which, if hit with any violence, break through, or wreck the machine because of the impact.

"The Highway Guard was built under a method of fabricating wire, that would give a maximum of strength, elasticity and recoil. It has been thoroughly tested under the Underwriters Laboratory bumper impact test, and also was rammed, as a supplimentary test by automobiles.

"Machines hitting it at moderate speed were brought to a stop, the recoil pulling them back from danger. With the machines going at high speed, the meshes, giving similarly, "wrapped" around the hood, allowing the blow to spend itself evenly on the wheels, bumper, etc. Even though a blow might displace a post, in such a case the fastenings farther away hold and the car is held ''

In comparative tests conducted before Connecticut State Highway Officials with 4,000 pound machines going 20 miles an hour the guard was only slightly affected. The cars were not damaged. Standard wooden railings hit at the speed were totally wrecked and the cars going completely through them were badly damaged.

The guard can be installed in continuous length for any distance and if one section is caused to "sag" by a blow, that section can be replaced. Sections on either sides are not damaged. The guard is galvanized and painted white, making it easily visible at night. It is constructed of 24 inch wire link fabric. The mesh, formed by No. 9 wire, is square and is $1\frac{1}{2}$ by $1\frac{1}{2}$ inches.

Highway officials of three states who witnessed tests and demonstrations announced that they are writing it into their specifications, making it standard for use in their states as a "practical method of preventing incline accidents." The Ohio State Commission has ordered it installed immediately at a famous "death curve" at Columbus, and representatives of other states, as well as representatives of the U. S. Bureau of Public Roads, are arranging tests.

"The National Safety Council and other competent authorities estimate that the economic loss from traffic accidents for each 100,000 population in the U. S. totals \$1,500,000." Kyle declared "We believe that this problem is one that industries must solve practically for their own good, and this fact caused us to deviate from our usual activities and set aside a special fund that was used in "Highway Guard" research.

LOW BIDS AT MANCHESTER

At the paving letting at Manchester January 3rd the bids were all low compared with prices of the last few years. The low bids on different kinds of construction were as follows: a five inch base \$3.44. Concrete from \$2.27 Vibrolithic from \$2.37 to \$2.59. to \$2.61. Asphalt six inch base \$2.89. Asphalt five inch base \$2.72. Bitulithic from \$2.79 to \$3.20. Asphaltic concrete six inch base \$2.61. phaltic concrete five inch base \$2.51. work was awarded on the last bid which calls for two inch natural lake asphaltic concrete surface on a five inch Portland cement base. Howard R. Green of Cedar Rapids is the engineer on this work.

Municipal Elections In Iowa

Full Statement of Law and Procedure for Town Elections

Section 642 Code; Section 3511 Compiled Code.

The regular municipal elections in cities and towns shall be held every other year on the last Monday in March.

About half of the cities and towns hold their election in even number of years and the others hold their elections in odd number of years.

OFFICERS ELECTED

Section 646, 647, 648 and 649 Supplement 1913; Sections 3515, 3516, 3517 and 3518 Compiled Code.

In towns there shall be selected biennially, a mayor, a treasurer, an assessor and five councilmen.

In cities of the second class, there shall be elected biennially, a mayor, a treasurer, an assessor, two councilmen at large, and one councilman from each ward.

In cities of the first class there shall be elected biennially, a mayor, solicitor, treasurer, auditor, city engineer, assessor and in cities where there is no superior court, a police judge.

NOTICE OF ELECTIONS

There seems to be no provision in the law anywhere making it necessary to publish a notice of the regular city or town election, but the mayor usually issues a proclamation calling the election. If the mayor issues a proclamation calling the election it should be issued at least ten days before the election, set out the offices to be filled, the place of holding the election in each precinct and the time of opening and closing the polls. The election would be held just the same even though no proclamation calling the election is issued.

QUALIFICATIONS OF CANDIDATES.

The qualifications of officers is fixed by the law as follows:

"Every mayor, councilman at large, town councilman and officer elected by the whole electorate of the city or town, by its council or appointed by the council, mayor or other officer to any city or town office shall be a resident and

qualified elector of the city in which he shall be elected, and reside within the limits of said city or town during his term of office." Section 643 Code of 1897. Section 3412 Compiled Code.

"Every councilman and other officer elected by any ward of any city shall be a qualified elector of said city residing within the limits of said ward or district during the term of his office." Section 644 Code Supplement 1897. Section 4513 Compiled Code.

METHOD OF HOLDING ELECTION

Section 642 of the Code; Section 3511 Compiled Code.

Regular municipal elections shall be conducted in the manner provided by law for general elections.

In order to know how a municipal election shall be conducted, it is therefore necessary to examine the law in regard to general elections.

NOMINATION OF CANDIDATES BY POLITICAL

PARTIES

Section 1098 Code; Section 396 Compiled Code.

Candidates for the different municipal offices may be nominated by any convention, primary, caucus, or meeting of qualified electors representing a political party which at the general election, next preceding, polled at least two per cent of the entire vote cast in any municipality of the state.

It is a common practice in many towns to hold a caucus and nominate a ticket to be known as a citizens ticket or by some other name, and ask that this ticket be placed on the ballot, but under the law it would seem that a ticket can only be nominated by a caucus, convention, or otherwise of a political party that polled at least two per cent of the vote in the municipalities.

If the Republicans or Democrats or some party polling two per cent of the vote desires to nominate a ticket they may do so under this section.

If a citizens caucus or meeting is called to

nominate a ticket and a ticket is agreed upon, the ticket so agreed to must be nominated by petition, unless as above the ticket is Republican, Democratic or some other party polling at least two per cent of the entire vote at the last election.

Where nominations are made by caucuses or meeting under this section, such action should be taken long enough before the election so that the chairman and secretary of such meeting, if made by Democrats or Republicans, can certify the candidates names to the clerk at least fifteen days before the election, or if petitions are to be signed, so they can be prepared and filed with the clerk fifteen days before election.

NOMINATION OF CANDIDATES BY PETITION
Section 1100 Code; Section 399 Compiled
Code.

In most cases the candidates for municipal offices are nominated by petition and appear on the ballot as "Independent" or "Citizens" or some other title entirely separate from the political parties that polled the necessary votes to make nominations by caucus or meeting.

To nominate for city or town or ward representatives a petition must be signed by not less than ten qualified voters, residents of such city, town or ward. Each elector signing such petition shall add to his signature, his place of business and post office address.

Where the officers are nominated by petition, one man can be named by each petition, or if desired a complete ticket can be named by petition and such ticket named in the petition.

Where a complete ticket for the town election is to be named, the following form of petition could be used:

PETITION FOR FULL TICKET

NOMINATING PETITION

We, the undersigned, qualified voters and residents of the Town of Smithville, Iowa, hereby nominate the following candidates:

Paul Smith, as a candidate for Mayor.
Phillip Smith, as a candidate for Treasurer.
Peter Smith, as a candidate for Assessor.
James Smith, as a candidate for Councilman
Matthew Smith, as a candidate for Councilman.

Luke Smith as a candidate for Councilman. John Smith, as a candidate for Councilman. Ed. Smith, as a candidate for Councilman. To be voted for at the election to be held March_____(last Monday) 19_____. The above ticket to be the "Independent ticket" (or any name you choose.)

Name Place of business Post office address
PETITION FOR SINGLE TICKET

NOMINATION PETITION

We, the undersigned, qualified voters and residents of the Town of Smithville, Iowa, hereby nominate John Smith, as a candidate for the office of Mayor, to be voted for at the election to be held March____(last Monday,)19____.

Name Place of business Post office address

FILING OF PETITIONS

Certificates for nominations and nomination papers shall be filed with the clerk not more than forty nor less than fifteen days before the day fixed by law for the holding of the election. Section 1104 Code of 1897 Section 402 Compiled Code.

WITHDRAWALS

Section 1101 Supplement 1915; Section 400 Compiled Code.

Each candidate named by either method may withdraw his nomination in a written request by and acknowledged by him before any officer empowered to take the acknowledgment of deeds and filed in the office of the clerk twelve days before the election, and no name so withdrawn shall be printed on the ballot.

Petitions or certificates of nomination must be filed fifteen days before election. Withdrawals must be filed twelve days before election so that twelve days before the election, the clerk will know all those who have been nominated for the different offices and who have not withdrawn and can proceed to have the ballots printed.

FORM OF BALLOT

Section 1106 Supplement; Section 432 Compiled Code.

Each list of candidates for the several parties and groups of petitioners shall be placed in a separate column on the ballot, in such order as the clerk shall decide, except as otherwise provided, and be called a ticket.

But the name of no candidate shall appear on the ballot in more than one place for the same office, whether nominated by convention, primary caucus or petition.

Where two or more conventions, primaries or caucuses, or any two of them, may nominate

the same candidate for any office, the name of such candidate shall be printed under the name of the party first filing nomination papers bearing such name, unless the candidate himself shall, in writing duly verified, request the officer with whom the nomination papers are filed to cause the name to be printed upon some other ticket.

Where the nominations are made by some political party or group of petitioners the list of candidates are placed under the name of that party or group designated in the certificate of nomination or petition, or if no name is designated then under some suitable title.

The ballots printed shall contain no other names. Section 1105 Supplement 1913. Section 432 Compiled Code.

PRINTING BALLOTS

Section 1107 Supplement 15; Section 432 Compiled Code. Section 1109 Supplement 13; Section 434 Compiled Code.

It is the duty of the clerk to have the ballots printed for the election and he shall cause to be placed thereon the names of all candidates that are to be voted for at the election as provided for by law.

The ballots shall be furnished the election judges at the polling place in each precinct twelve hours before the opening of the polls on the morning of the election.

Ballots shall be on plain white paper through which the printing or writing cannot be read.

NUMBER OF BALLOTS

Section 1110 Code of 1897; Section 436 Compiled Code.

The clerk shall have enough ballots printed so that he can deliver to the election judges of each precinct, seventy-five ballots for every fifty votes or fraction thereof cast therein at the last preceding election of state offices.

REGISTRATION OF VOTERS

In cities having a population of six thousand or more, the voters must be registered, but the plan of registration is well known in such cities and will not be set out here, as it does not apply in any way to cities of less than six thousand population or to towns

WHO ARE ELECTORS.

Constitution, section 1, article 2.

Every male citizen of the United States of the age of twenty-one years and who has been a resident of the state six months next preced the election and of the county of which he claims his vote sixty days, shall be entitled to a vote at all elections which are authorized by law.

Each qualified elector may vote who is a resident of the city or town, and, at the time has been ten days a resident of the precinct in which he offers to vote.

This makes the qualification for a voter, 1, he must be a citizen of the United States; 2, he must live six months in this state, sixty days in the county and ten days in the precinct.

He must also be a bona fide resident of the town. Even though he has lived in the town some time, and he is still a resident of some other town, he is not entitled to vote at any town election.

WOMEN CAN VOTE

Now that women are voters they can vote at all city and town elections under the same terms as the men

ELECTION PRECINCTS

Section 1090 Supplement 1913; Section 423 Compiled Code.

In cities the council shall fix the election precincts and in the smaller cities, the election precincts are usually made co-extensive with the wards.

For town elections, each town shall constitute one precinct.

POLLING PLACES

Section 642 Code; Section 3511 Compiled Code. Section 1113 Code; Section 427 Compiled Code.

The voting places shall be fixed by the council, one polling place for each precinct.

The mayor and clerk shall provide suitable places in which to hold all municipal elections, and the law sets out as to how each election place shall be arranged, and maintained.

These two provisions in regard to polling places seem somewhat contradictory, but it would seem that the council should fix the polling places and the mayor and clerk should prepare them for the election.

One booth shall be provided for each sixty voters or fraction thereof who voted at the last election. The clerk should find out how many votes are polled at the last election and provide one booth for each sixty votes or fraction thereof.

POLLS OPEN

Section 1096 Supplement 1913; Section 439

Compiled Code.

In all cities of less than six thousand population and in all towns the polls open at eight o'clock in the forenoon and close at seven o'clock in the evening. In cities of over six thousand population, the polls open at seven o'clock in the forenoon.

ELECTION BOARDS

Section 1093 Supplement 1915; Section 426 Compiled Code.

Election boards shall be constituted of three judges and two clerks, and not more than two judges and not more than one clerk shall belong to the same political party, if there are electors willing to act and members of the opposite parties. In cities and towns the councilmen shall be judges of election, but in case more than two councilmen belonging to the same party are residents of the same election precinct, the council shall designate which of them shall serve as judges. In city and town elections the council shall name the judges and clerks of election, a reasonable time before the election.

If at the opening of the polls in any precinct, there is a vacancy, in the office of judge or clerk, the same shall be filled by the members of the board present.

There seems to be no provision that the city or town clerk shall be clerk of the election, and the chances are that he should not act as a clerk as he is by law a member of the canvassing board.

The mayor is not a member of the council and should not be appointed a judge of a municipal election.

COMPENSATION OF JUDGES AND CLERKS

Section 1093 Supplement 1913; Section 426 Compiled Code.

Their compensation shall be thirty cents per hour while engaged in the discharge of their duties.

CANVASS OF RETURNS
Section 1146 Code; Section 747 Compiled
Code.

On the day after the election, the mayor and clerk shall meet and canvass the returns. If the mayor is a candidate at such election, a justice of the peace of the county, selected by the clerk, shall act with the clerk in making the canvass.

NOTICE OF ELECTION
Section 1147 Code; Section 475 Compiled

Code.

Within five days of the election the clerk shall give notice of the result of the election by posting in three public places, notices containing the names of the persons elected and requiring them to appear before the proper officer and qualify according to law.

CERTIFICATE OF ELECTION

Section 1155 Code; Section 483 Compiled Code.

The clerk shall deliver to each person elected to a city or town office, a certificate of election worded as set out in this section of the law.

ABSENT VOTERS LAW

Section 1137-b Supplement 1915; Section 521 Compiled Code.

The absent voters law applies to all elections but will not be set out here.

MANNER OF QUALIFYING

Section 1177 Supplement 1913; Section 600 Compiled Code. Section 668 Supplement 1913; Section 3541 Compiled Code.

City and town officers shall qualify within ten days after their election has been declared by the board of canvassers. When on account of sickness or unavoidable casualty the officer is prevented from qualifying within the prescribed time, he may do so within ten days after the time here afixed, or in case of contest, within ten days after the decision.

Section 668 Supplement; Section 3541 Compiled Code provides that the members of the council shall on the first Monday after their election, assemble and organize the council. In order to do this, the councilmen must qualify before ten days after election and it is the usual custom for all elected officers to qualify before and take office on the first Monday after the election.

Section 650 Supplement; Section 3519 Compiled Code provides that the assessor shall take office on the first day of January after his election.

OATH OF OFFICE

Section 1080 Code; Section 606 Compiled Code.

All municipal officers shall take and subscribe to an oath as follows: "I, ______ do solemnly swear that I will support the constitution of the United States and the constitution of Iowa, and that I will faithfully and impartially,

to my best ability, discharge the duties of the office of _____ in _____, as now or hereafter required by law."

Each officer required to give bond shall take and subscribe to the above oath on the back of his bond or on a paper attached thereto, to be certified by the officer administering it.

BONDS

Section 1185 Supplement 1913; Section 619 Compiled Code.

The bonds of all municipal officers who are required to give bonds shall each be in such penal sums as may be provided by law or as the council shall, from time to time prescribe by ordinance, provided that the bond of mayor is not to be in less sum than five hundred dollars.

Section 1196 Code; Section 626 Compiled Code provides that the county auditor shall record all mayors bonds and after they are so recorded, they shall be returned to the officer in whose custody they are supposed to be kept.

PENALTIES FOR NOT GIVING BONDS

Section 1197 Code of 1897; Section 628 Compiled Code.

It shall be a misdemeanor for any officer who is required to give bond to act in such official capacity without giving such bond as is provided by law, and he shall be liable to a fine for an amount not exceeding the amount of the bond required by him.

TERM OF OFFICE

Section 1265 Code; Section 663 Compiled Code.

Except where otherwise provided, every officer elected or appointed for a fixed term shall hold office until his successor is elected and qualified, unless he resigns, or is removed or suspended, as provided by law.

Officers entitled to hold over to fill vacancies occurring through a failure to elect, appoint or qualify, should qualify in the same manner as those elected or appointed to such offices."

VACANCIES

Sections 504, 686, 781 Code; Section 664 Compiled Code.

Every civil office shall be vacant upon the happening of either of the following events:

- 1. A failure to elect at the proper election or to appoint within the time fixed by law, unless the incumbent holds over.
 - 2. A failure of the incumbent on hold

over or to qualify within the time prescribed by law.

- 3. The incumbent ceasing to be a resident of the state, district, county, township, city, or town or ward by and for which he was elected or appointed or in which the duties of his office are to be exercised.
 - 4. The resignation or death of incumbent.

DAVENPORT SALVAGES OLD PAVE-MENTS

Scott Street between Second and Fourth streets in Davenport which was originally paved with brick having a 4 inch sand cushion on a macadam base was resurfaced with Warrenite-Bitulithic in 1917 and the result was so satisfactory that in 1922 and 1923 approximately 175,000 sq. yds. of various streets, which had been originally paved with brick on various types of foundation, were resurfaced with Warrenite-Bitulithic in addition to a large area of Warrenite-Bitulithic new construction.

In commenting on the use of Warrenite-Bitulithic pavement for resurfacing in Davenport, Mr. Harry W. Phillips, Supt. of Public Construction has made the following statement:

"As to the life of a Warrenite-Bitulithic pavement laid over an old brick pavement, I should say fifteen years is a rather conservative estimate providing the work is properly done and the foundation under the brick is fairly staple. As an example of this type of construction, I will cite our Scott Street between 2nd and 4th streets, which was paved with Warrenite-Bitulithic in 1917 and in spite of heavy traffic particularly on one of the two blocks, the entire street is in perfect condition. This section of Scott street is resurfacing over old brick, which was laid many years ago, with a 4 inch sand cushion on a macadam base.

"In answer to your second inquiry I would say Warrenite-Bitulithic is superior to sheet apshalt."

The saving to the property owners by resurfacing the old pavements and old foundations amounts to approximately the entire cost of the improvements which have been made.

Mayor James Rolph Jr. began his fourth four-year term as the chief executive of S n Francisco, on January 7.

New York Commission of Accounts

Introduction of Annual Report of David Hirshfield

The year 1921 will remain memorial in the history of the City of New York as the year in which you were re-elected Mayor by over 400,-000 majority. The defeat of the Traction-Moneybund-Republican-fake Reform combination and its sinister influences in public life was overwhelming.

For more than a generation, during which the public service corporations had grown to financial affluence and social authority, they had prospered through political alliance of a bi-partisan character, and had been able to enforce their will with the peoples property and the public's rights, regardless of protesting decisions of the ballot box. Sometimes with allurement and more often with threats, these soulless corporations, with the aid of "great" newspapers and so-called "eminently high class" lawyers, have induced elected and appointed servants of the people to prostitute their office, do the bidding of these corporations and betray the people.

In January, 1918 you took your oath of office as Mayor of New York City with devotional sincerity. At first the exploiters of the people sneeringly belittled your efforts to learn the truth regarding the finances of the public franchise-holding corporations, and to exact from them fair and open dealing with the public which they served. Baffled in their efforts to discourage, dissuade or deceive you, and finding you beyond the lure of their money and social preferment coveted by some of your predecessors in office, they intrigued in newspapers, invoked the aid of grand juries, resorted to the courts and manoeuvered in legislatures to defeat your purposes. Yet constantly your range of service to the people widened.

The unholy alliance of Wall Street and traction magnates, aided by the controlled press and the gambling fraternity whose business your police has interrupted, realizing that so long as you remained Mayor, higher fares and increased service rates could not be imposed upon the public, the decree went out that you must be de-

feated for re-election as Mayor in 1921. They believed that through a hostile legislature in that year, and a servile press, they could discredit the Democratic administration of this city and prevent your re-election.

So, for a full year preceding the election of 1921, there was an epidemic of investigations. No city administration in American history ever endured such prying, raking and searching as was imposed upon the administration of New York City in this period. There were the Almirall "overshadowing crime" investigation. the Whitman-Swann-Jim Smith investigation, the Meyer Legislative Committee, the Special March Grand Jury and half a dozen regular grand juries. There were also the fake reform organization. an adjunct to the Republican Party, the Citizens' Union, the Society for the Prevention of Crime, the Committee of Fourteen, the Bureau of Municipal Reseach, City Coalition Committee, and half a dozen other probes more or less misbegotten and all abortive in developing anti-Hylan material for election purposes.

The legislative campaign of bullying, intrigue and slander was opened on the first day that the State Senate and State Assembly convened, January 2, 1921, when the Robinson-Meyer-Steinberg coterie in the legislature, representing all the elements who had suffered because of your determined stand for the rights of all the people, prepared and published through the State a broadside of scurrilous abuse of the officials of this City's administration.

On January 24, 1921, while the notorious Almirall Extraordinary Grand Jury still was smelling about, an additional grand jury was impanelled in New York County, with ex-Governor Charles S. Whitman, former district attorney of New York County, as Assistant District Attorney in charge at a compensation of \$1,000 a week. Mr. Whitman continued to indict members of the Police Department, but in cases like the Almirall Grand Jury indictments, same were all later dismissed,

On April 15, 1921, a joint resolution constituting "The New York State Joint Legislative Committee to investigate the affairs of the City of New York" was put through the legislature by a political cabal headed by Senator Theodore Douglas Robinson of Herkimer County, Senator Schuyler M. Meyer and Assemblyman Joseph Steinberg, both of New York County. The ostensible reason for this Joint Committee was to secure information for, and in co-operation with the New York City Charter Revision Commission then proposed and which came into being under chapter 313, laws of 1921, enacted two weeks later on April 30.

This joint legislative committee of investigation consisted of ten Republicans and five Democrats, Senator Meyer was chairman and Senator Robinson, secretary. Senator Clayton R. Lusk, Republican majority leader of the senate, was an ex-officio member. Former Senator Elon R. Brown (since deceased) of Watertown N. Y., was appointed counsel to the committee and Leonard M. Wallstein, Samuel A. Berger and several others like them, were appointed as assistant counsel.

It did not take long to discern that the real eason for the committee's existence was to en compass your defeat for re-election. The appointment of Leonard M. Wallstein, the paid counsel of the Citizens' Union and Commissioner of accounts under the late Mayor Mitchel, as chief associate counsel to the committee exposed this real reason, which the subsequent irregularities and indelicacies of professional conduct on the part of the committees counsel amply proved beyond a reasonable doubt.

The Senatorial members of the Meyer Committee were appointed by acting President Lusk of the Senate and the Assembly members by Speaker Machold, and it is to be noted that no Republican Senator or Assemblyman who voted against the Traction bill in the legislature was appointed to the committee. The initial appropriation for this purely partisan political enterprise was \$100,000, but the eventual cost to the taxpayers was approximately \$400,000.

This committee, headed as it was by Senator Meyer, soon earned name and fame in current history as the "Mire Committee," because of the character and method of its work.

To the office of the Commissioner of Ac-

counts, with its chartered responsibilities and powers, fell the duty of leadership in combating the injustices, exposing the hypocrisies and letting in the light on the venomous trail of political intrigue that marked the birth and purpose of this committee, supported by the city's money but directed from Albany. From June to November this committee sought with every possible trick and device of prejudiced publicity to undermine the confidence of the people of New York City in their Democratic city administration.

For over three years this office had conducted vigorous and thorough investigations of all city departments, with a view to discovery and correction of abuses, and the devising of methods of accounting and management which would prevent their recurrence and with full public disclosure of the facts discovered and the remedies proposed. As a result, it was not upon its own intitiative and efforts that the "Mire" Committee depended for the success of its scandalous work but rather, on the belief that the charter assassins in the employ of the Committee could follow the "leads," opened to them through my investigations, the results of which had been duly recorded in the formal reports of this office to the Mayor.

Among the first, if not the very first, of the public acts of the "Mire" Committee was the descent on this office of Senator Meyer, accompanied by Mr. Wallstein, with a subpoena duces tecum, and under its powers they secured from my files and carried away with them to the committee headquarters about 4,800 reports, memoranda, letters and other papers covering the various phases of activities of this office during this administration.

For nearly three months or, to be exact, just eighty-nine days, Mr. Wallstein and his staff of high priced and savory "investigators" pawed and pondered these reports and documents, and called witnesses whom they insisted on hearing in private with only one committeeman present until they were stopped by action of the Corporation Counsel.

Meanwhile, the daily press continued attacks or insinuations against the city administration, emanating from the "Mire" Committee head-quarters. A sample headline from the "Brooklyn Eagle" of June 24th, illustrates the high-

handed and low minded methods of attacks, viz:

"Meyer probers out to 'get' four of Hylan's friends, Enright, O'Malley, Hirshfield and Whalen—hope to reach mayor through them."

The object of these outrageous methods was two-fold: first to discredit your administration at all hazards and, secondly, to create a smoke-screen to hide the shortcomings in the work of the committee and some discreditable spots in its personnel and that of its staff.

The smoke-screen became a vital essential to the "Mire" Committee even before its first public hearing, which was held on August 9th, through disclosures made by me as a result of investigations into the character and motives of these defamers of New York. One of its chief investigators was a discharged and disgruntled former employee of the police department. Another was identified as an ex-convict who had served a term in state prison. Still another was found to be a noted Socialist and ally of "conscientious objectors' of odious record, who had been denounced by the executive committee of the Kings County branch of the American Legion. Lastly, the senatorial father of the "Mire" Committee, Clayton R. Lusk, was shown to have accepted from New York police detectives, through his wife, a very expensive silver service consisting of 147 pieces, for his service in furthering through the legislature "The Lusk Permanent Detective Bill," which would have cost this city over \$7,500,000 a year if it had not been vetoed by Mayor Hylan.

Of Senator Meyer I was able to say on August 29th:

"Senator Meyer has persistently refused to take the public into his confidence and tell why he, as an Assemblyman from New York in 1918 introduced and put through a bill increasing by 61 per cent the cost of elevating, loading and unloading grain and cattle feed" and to that extent increased the cost of bread, cereals and breakfast foods of every man, woman and child in this state and the city of New York."

With the opening of the public hearings in August, the partisan political purposes of the "Mire" Committee daily became more evident. Senator Brown's disclaimers of unworthy purposes were coincident with the most discreditaable practices of his associates. Probably the most notorious, as well as the most futile, of the

committee's breaches of good taste was the seizure and search of Mayor Hylan's private papers and personal bank books and accounts.

No path to civic betterment was opened by the "Mire" Committee, and not a single worthy path was trod by it that had not already been blazed for it by the investigations of this office. It is a matter of profound congratulation to the citizens of New York that, despite the organized propaganda of the "interests," the true character of the "Mire" Committee was thoroughly exposed. It was found guilty before the tribunal of public opinion of working secretly and under false pretense, in an outrageous and contemptible manner, to tear down the structure of progressive public service that the Hylan administration had erected, and to besmirch the reputations of the officials who so well had served the public.

On election day, Novembr 8, 1921, you were re-elected by the greatest vote ever given to a mayoralty candidate in the history of this city, receiving a total of 750,247 votes, 417,401 more votes than your opponent, whose total count was only 332,846 votes.

HOME RULE

Something can usually be said on both sides of a serious question and when the matter involves the interest of millions of people a great deal is apt to be said. The year 1923 marks the accession of New York to the ranks of "Home Rule" states. The states in which some form of autonomous provision for large cities is made are: Missouri, 1875; California, 1879; Washington, 1889; Minnesota, 1896; Colorado, 1902; Oregon, 1906; Oklahoma, 1907; Michigan, 1908; Ohio, Texas, Nebraska and Arizona 1912; New York, 1923.

The text of article XII of the New York state constitution as amended by the legislature and accepted by a referendum last November will be found in the 'laws of the State of New York passed at the one hundred and forty-sixth session of the legislature," vol. II, p. 1765. The most significant provisions of this amendment are that the state may not pass any law relating to municipal affairs "which shall be either special or local either in its terms or its effects," except in an emergency declared by the governor, with concurrent action of the members of each house, and that "Every city shall have power to adopt and amend local laws not inconsistent with the constitution and laws of the state," relating to its own government and the transaction of its own business.

Hauge vs City of Des Moines

Decided in Supreme Court of Iowa, Dec. 14, 1923

In the district court this was an appeal from an assessment of benefit for a street extension and improvement. The district court confirmed the assessment, and the plaintiff appeals. An appeal by another plaintiff against the same defendant involving the same questions was tried by the district court by stipulation upon the same record, and by the same stipulation is likewise submitted here on the same record. Further reference will be made thereto in the body of the opinion. Reversed and remanded.

EVANS. J. In February and March, 1919, the city of Des Moines, through its council, initiated proceedings for the purpose of extending and improving a certain street known as University avenue. As a part of such proceedings, it established a benefited district purporting to include therein the abutting and adjacent property. In this district, the plaintiff's property known as lot 51 was in part included, and an assessment was in due time levied against it. The plaintiff filed objections before the city council, which were overruled. From such action of the city council, she prosecuted her appeal to the district court. She challenged the authority and power of the city council to include her land within the benefited district because it was not adjacent to the improvement. She challenged also the amount of the assessment as grossly excessive.

In order to get an intelligent terminology for the purpose of our opinion a preliminary statement must needs be made.

The Des Moines river runs southerly through the city of Des Moines. It has been adopted as a base line for the designation of the streets running substantially parallel thereto. The streets which run north and south are designated by number. Beginning at the river as a base line, the streets parallel therewith on each side are numbered consecutively to the east and west limits of the city respectively. For instance East Seventh street is theoretically located seven blocks east of the river, whereas West Sixth street, known also as West Sixth avenue, is lo-

cated theoretically six blocks west of the river. West Thirtieth street and East Thirtieth street are supposed to be 60 blocks apart, and each is 30 blocks from the river. University avenue, as the name is used in the record, is an imaginary avenue which is partly existent and partly nonexistent, in fact. The imaginary avenue extends in a straight line easterly from the western to the eastern limits of the city. It is deemed to be located upon a correction line of the government survey as such line extends through the city. Prior to the proceedings here under consideration, this avenue existed in fact for a distance beginning at the western limit of the city and extended easterly to West Sixth avenue. We ignore for the present the narrow strip that extended for a short distance east of West Sixth avenue and a like condition which extended a short distance west from East Seventh street. In East Des Moines, an open street was laid out along the correction line beginning at East Eighteenth street and extending east to the city limits. this street was known also as University avenue. There was no direct connection over this line between East Eighteenth street and West Sixth avenue. In 1917-1918, the city constructed a bridge across the Des Moines river upon the line of the imaginary University avenue. The original objective of the proceedings now under consideration was to extend, open and improve University avenue from West Sixth avenue to East Eighteenth street and thereby to utilize the new bridge and to open a through thoroughfare over this line which should extend from the western to the eastern limits of the city and give full reality to the imaginary University avenue. A resolution of necessity to this effect was adopted. Pursuant thereto, the benefited district was created and was made to include the abutting and adjacent property for the full length of the imaginary University avenue, being a distance of about nine miles. Later this resolution of necessity was amended by another which eliminated from the proposed improvement and extension

all that part of the imaginary University avenue extending east from East Ninth street to East Eighteenth street. The result of this amendment was to provide for the extension and opening and improvement of University avenue from West Sixth avenue to East Ninth street and no more. Though this change was made in the area and scope of improvement, no change was made in the established benefited district. The plaintiff's property is located near the eastern limits of the city four miles distant from the proposed improvement. It is agricultural land lying entirely outside the platted portion of the city. It does not abut upon University avenue, either the real or the imaginary. If it is adjacent thereto, it is because it lies within about threequarters of a mile thereof. There is no means of direct access to University avenue from the plaintiff's land. In order to reach University avenue from plaintiff's land over any street, it is necessary to go one mile and a quarter westerly over Dean avenue and then northerly; or else to go two miles easterly over Dean avenue and then northerly. Upon the state of facts herein indicated, the plaintiff contends that her land was not adjacent to the improvement within the meaning of the statute, and that therefore no statutory power was conferred upon the city to include it within the district or to assess it as a part thereof.

(1) I. We are confronted first with the question of the scope of the appeal. What questions may be raised by the plaintiff by mere appeal? It is conceded that she may contest the amount of the assessment. Can she challenge the power and authority of the city council to include her property in the benefited district as adjacent property? Counsel for the fendant contends that such challenge can be made only in a certiorari proceedings and that it is not available to plaintiff by mere appeal. In Peterson v. Town of Stratford, 190 Iowa, 45. 180 N. W. 13, we held that the power of the city council to extend streets was conferred by section 751. This section as is follows:

"Cities and towns shall have power to establish, lay off, open, widen, straighten, narrow, vacate, extend, improve and repair streets.

* * * The expenses of such extension, repairs and improvements may be paid * * * by assessing all or any portion of the cost thereof on abuting and adjacent property according to the benefits derived from such extension, repairs and improvements'—as provided in chapter 6, title 5, Code, § 751, Supplement 1913, and section 751 of the Supplemental Supplement 1915.

The foregoing section provides us no procedure except by reference. This reference was construed by us in the Peterson Case, 190 Iowa, 45, 180 N. W. 13. We held that procedure was as provided by section 810 et seq. The only provision for an appeal from the action of the city council for establishing the benefited district is that provided by section 810 et seq. Section 839 provides:

"Upon such appeal, all questions touching the validity of such assessment, or the amount thereof, and not waived under the provisions of this chapter, shall be heard and determined. The appeal shall be tried as an equitable action and the court may make such assessment as should have been made, or direct the making of such assessment by the council."

[2-4] II. It will be seen from the foregoing that the issues to be tried upon an appeal are not confined to the mere amount of the assessment. On the contrary the express terms of this section give to the plaintiff the right to be heard on "all questions touching the validity of such assessment." We think, therefore, that the plaintiff is entitled to be heard on the questions whether upon the facts here appearing her land was adjacent to the improvement within the meaning of the statute. If it were not, the city council was without power to include it and such inclusion must be deemed nugatory. It is to be conceded that the statute must be construed to give fair and perhaps broad latitude to the judgment of the city council as to what is adjacent property. To some degree at least, the term 'adjacent' is relative. We should not. therefore, feel justified in holding counter to the findings of the city council on that question, unless it clearly appear from the evidence that the land was not adjacent within any proper construction of the statute. We encounter no trouble from conflicting evidence. There is none. The evidence is undisputed. Several questions protrude themselves out of these undisputed facts. One of these is whether the two sectors each known as University avenue should be considered as parts of one entity notwithstanding the fact that

they have no connection in reality and that the west end of the east sector and the east end of the west sector are separated by a distance of about one mile. We are not disposed to deal with this question upon this record. Treating East University avenue as a part of the entity of the imaginary University avenue, it clearly appears from the undisputed facts that the improvement in question has no influence as a special benefit to the land of plaintiff. Even if her land abutted at this point upon University avenue, yet we see no way where by the influence of this improvment could extend to this distance and thereby confer any special benefit upon this land as distinguished from general benefit; to say nothing of the obstruction to through communication between East Ninth street and East Eighteenth street, and that from East Eighteenth street eastward. University avenue is unpaved and unimproved. The natural and convenient access from plaintiff's land to the city is ultimately over Grand avenue. She is thus afforded course of travel over paving all the way. Grand avenue runs westerly from plaintiff's land and bears southerly as it approaches the city. If land so remote from the improvement and so disconnected therefrom by any facilities is nevertheless to be included within the alleged benefited district, we see no function or use for the word "adjacent" as used in the statute. The undisputed evidence is that the improvement had no influence whatever upon the value of plaintiff's land or upon the convenience of access thereto. Such evidence bears both upon the question of adjacency and upon the question of assessment. The land being in fact very remote from the improvement, if it is nevertheless to be regarded as adjacent within the meaning of the statute, it must be because of some special reason whereby special benefits attach to it notwithstanding its remoteness. Nothing such is disclosed by the record. We reach the conclusion, therefore, that the plaintiff's land was not adjacent to the improvement within the meaning of the statute, and that the city council was not authorized under the statute to levy special benefit against it.

[5] III. The other appeal is that of Anna L. Redhead against the city of DesMoines. Her land is contiguous to that of plaintiff Hauge and lies between it and University avenue. It abuts upon University Avenue. This is the only distinction between her case and that of the plaintiff.

Does the mere fact that her land abuts upon University avenue of itself render it adjacent to the disconnected improvement four miles away? We think not. For reasons indicated, the judgment below will be reversed on each appeal.

Reversed and remanded.

BRICK PAVEMEMT AT CLINTON By Chas. P. Chase, Clinton, Iowa

The writer began his investigations on pavements 34 years ago in the Testing Laboratories of the State University of Iowa and was assigned a thesis on Brick Pavements. The subject involved the questions of best clays, manipulation, kind and size of brick, burning and manner of laying in the street. As a result of my year's investigation, supplemented by various inspection trips, a set of specifications for brick pavements was formulated which I first tried out at Clinton Iowa in 1891.

The essence of the specifications was a thoroughly "vitrified" brick, to be laid on a well drained base, with the earth and foundation of the exact shape of finished pavement. Six to eight inches of sand-filled macadam rolled until hard, a 1-in. sand cushion, and then a square edged brick laid close and cracks filled with fine bank sand.

The one principle that I was inexorable on was that the brick must be thoroughly vitrified and practically impervious to water, and through all the years and experience with many makes of brick and tryouts of others' ideas I have never changed in this, and time has shown this to be absolutely correct.

My first brick job was Seventh A ve. from Second St. to Fifth St. in Clinton, Iowa, laid as above specified. The brick used were the small size (a little less than 2x4x8 ins.) Purington, Galesburg, Illinois, oil-burned brick. This is a main residence street near the business center and formerly considerable lumber was hauled over it. The street stands to-day, after 32 years use, almost perfect, with scarcely a sign of wear. Brick taken out measure the same as when laid and show the original kiln marks. The only depressions in the pavement are a few places where it has been torn up and carelessly replaced. In all these years nothing has been spent for upkeep or repairs. If this pavement were on a suitable concrete base it would practically be indestructible from rubber-tired vehicles.

Modern Street Lighting

By C. F. Lambert, of Burns & McDonnell Engineering Company.

An ancient legend tells us how Prometheus went up to heaven and stole the flame. He lighted his torch at the chariot of the sun and brought down fire to men and dispelled the darkness of the night.

Probably the first actual light was a shell or bit of clay filled with oil. This was replaced by a vessel of iron or bronze. Then came the candle. Then a flame from a gaseous vapor and finally electricity. This marked the real beginning of the art of illumination. This art has been carried to a fine point of development.

While many a song and story has been written of the beauty of the night, one would scarcely look forward with pleasure to the prospect of leaving a brilliantly lighted home or public building and entering into the darkness of a starless night without artificial illumination. This is seldom necessary now, however, for there is scarcely a city, village or hamlet that does not have some form of street lighting.

Few people, not directly concerned in the lighting of streets, are consciously aware of the remarkable developments and improvements which have taken place in this connection within a comparatively few years. It is only observed by one who, accustomed to the splendid illumination of a well lighted city, visits a city whose street lights show a backwardness in keeping up with the pace of modern progress. The progress of a city in business, in attractiveness and in welfare is measured by its civic improvements. The original object in street lighting was to enable traffic to function without collisions or interference. Now, however, street lighting is an important element in crime prevention, a trade stimulent, and a means of expressing civic pride. That there is a direct bearing upon business development is shown by the active interest shown by Chambers of Commerce and other trade bodies in hundreds of cities, in the construction of brilliant illumination for their business sections. Large sums of money have been expended in this way by such bodies acting in conjunction with city authorities and electric lighting companies. The popular "White Way" lighting, which is almost universal now, had its inception through realization of the importance of good lighting as a trade factor. In many cases it has been the means of inducing people to pay regular visits from outlying districts to these brilliantly lighted cities, who came before only as necessity demanded.

The earliest record of any street lighting ordinance was dated about the year 1415, when the citizens of London were required to hang out candle lanterns. The city of Paris, in the sixteenth century, used resin flares for street lighting. About the middle of the eighteenth century oil was first used in London and Paris as a street illuminant. Coal gas was used for the first time for street lighting in London in 1807. The first city in America lighted by gas was Baltimore, Maryland, in 1821. The electric arc lamp was introduced in 1878, and the carbon filament incandescent lamps the following year. Welsbach mantles were first used in street gas lamps in 1894, to be followed two years later by the enclosed type arc lamp. The first "White Way' cluster of five lights ornamental post system recorded, was installed in Los Angeles, California in 1906. About 1906 the tungston filament or Mazda lamp was adopted.

There are, generally speaking, two methods of street illumination: First, the high intensity lighting found in business sections of cities, which require an illumination sufficient to enable a large and fast moving volume of traffic to be handled without accident. Second, low intensity and uneven lighting, as found in residence sections where objects, vehicles, etc., are seen in silhouette—usually as dark outlines against an illuminated street surface. As these streets are frequently lined with trees, it is necessary to place lights low to avoid the foliage. Therefore, residence streets are generally lighted to better advantage with low power lights at fairly close intervals, than by high power lamps at street

intersections only. Generally, about threefourths of the total lengths of streets in a city fall within this class. The still further outlying districts require merely a line of lights to indicate the way to travelers, and no effort is made for street illumination.

The many factors entering into the problem of street lighting require many compromises in attaining the final result. The desirability of a uniform design throughout a city should not be overlooked, especially in the lighting of long thoroughfares which may extend from a business center to the outskirts. In such a case it may be necessary to sacrifice the requirements of certain sections, to some extent, to produce the proper effect for the whole. One factor that is frequently overlooked is, the color of the street surface. The oiling of streets which had a light colored surface, frequently causes complaint of the street lighting and it is not always realized that the lower intensity is due to reduced effectiveness of the lighting with the dark streets.

Local conditions govern, to a large extent, the requirements for laying out a street lighting installation, and no definite rules can be made covering all cases. The amount and distribution of the light, the size of unit to be employed and the height and spacing of the lamps are all corelated and must be considered with other factors. Where there is no foliage, lamps should be placed well above the ground so that the maxim illumination may be obtained at distant points. Care must be exercised, however, that the lamps are not mounted too high, as the uniformity would be gained at a sacrifice of intensity. The limiting factor for height and spacing is the amount of light obtained midway between the light sources.

When pendant or hanger types of units are used along the curb, lamps up to 100 candle power should be mounted from 15 to 18 feet high, depending somewhat on the light distribution. The higher candle-power sizes, i. e. 400, 600 and 1,000 candle-power, should be suspended at a height of from 20 to 25 feet. The spacing depends upon the uniformity of illumination desired, and should seldom be greater than ten times the mounting height.

For wide streets, lamps placed opposite one another will present the neatest appearance.

The staggered arrangements of lamps is

sometimes advantageous in giving a uniform illumination, but will not be so attractive in appearance as where the lamps are placed directly opposite each other.

The arrangement of poles on one side of a narrow street is often very effective and economical, and is especially applicable to the lighting of parkways and suburban or residence streets. This arrangement is not suitable, however, for commercial streets.

In the low intensity lighting it is important that lamps be located at all street intersections; but with ornamental post systems, it is not desirable to place lamps directly on the corner, as the glare from such a lamp, will tend to blind the driver who is about to turn the corner and wishes to see if the way be clear.

Care should be taken in any street lighting that the lamps appear in continuous line, as any irregular placing of lights will detract greatly from the effect.

No definite figures have been generally accepted for determining the intensities of illumination most desired, and methods of comparing intensities of illumination of different types of light have not been standardized.

The final determination of intensity for street lighting depends upon the cost, and many other factors such as the surroundings and other local conditions. Comparison of practice in various sections and cities are useful in this connection. For smaller units such comparisons may be made in watts per running foot of street; otherwise illumination or candle-power value of the same order may be utilized.

The proper diffusion of light by means of diffusing globes and refractors, is important in reducing the glare from bright light sources coming directly in the range of vision, and also eliminates the deep shadows. This is becoming of greater importance every day, due to the increasing brilliancy of modern illumination. The appearance of a light source is also greatly improved by the use of such equipment.

There are many different types of street lighting, including high and low candle-power pendant units, suspended from brackets or span wires, and ornamental post lighting with both high and low candle-power lamps. The system of energy supply to the lamps may be either multiple or series. Both systems can be installed

underground or overhead. Of course, the greatest number of systems in this country are operated on the overhead series system.

The cost of installation and operation of street lighting systems is governed entirely by local conditions, and one is quite liable to be led to wrong conclusions if comparison is made of the prices charged in different cities, without a full knowledge of the local situation.

Sizes of series lamps available for street lighting vary from 32 candle-power to 1,000 candle-power for use on a 6.6 or 7.5 ampere alternating current circuit. As the high candle-power lamps can be operated more economically at high currents, the units for the larger lamps are usually epuipped with compensators or transformers. This permits their use in series with the smaller lamps.

Much skill has been shown in lighting of roads and highways. These are now being lighted by equipment which collects the rays and throws them up and down the road where needed. These units are mounted thirty to thirty-five feet above the road and the glare which might naturally be expected to result is not apparent. The illumination of 250 candle-power units is excellent when placed 300 feet apart and the lighting is good at even twice that distance.

At the intersections of highways, high powered flood lighting projector are sometimes installed. They must be installed so that no glare reaches the motorists.

For outlying residence districts forty to onehundred candle-power lamps are popular and their height and spacing are adjusted to meet the conditions.

For the main residential section the lighting should be somewhat increased and lamps of one-hundred to four-hundred candle-power are utilized. A general plane of illumination comparable with that of bright moonlight and ranging from 1/20 foot candle to half or third of that is usually sufficient.

Summer resorts and cities having a high seasonal percentage of transient population require a highly ornamental type of residental street lighting fixtures. This can be arranged so that a distinctive ornamental system may be had four months in the year and an adequate and economical system the balance of the time.

In the main busines section the art of street lighting has been most fully developed. Here the plane of illumination should be carried near to one-tenth foot candle, ranging perhaps from half of this amount at the darkest spots to at least double near the lamp. The most important streets and public places ought to have an average of a good quarter of a foot candle, giving light enough to read a notebook. Such lighting ought to be furnished in places out of doors where the public gathers at night, and in streets where the traffic is dense or the requirements for policing exceptionally severe.

In order to obtain the greatest usefulness and the most brilliant results, along a business street, most of the lights should be cut off from vainly trying to illuminate the sky. The buildings along the street should be well lighted from the street lamps and the street surface should be sufficiently illuminated to permit traffic to see clearly. Powerful arcs or large incandescent lamps placed fairly high, 18 to 20 feet, and spaced at a distance not over four or five times their height are very effective in securing these results.

In selecting the design of a standard for street lighting, local features and historic tradition can often be utilized. For instance. Los Angeles, California has adopted a style suggesting the Spanish Renaissance. Riverside, California has accentuated the Mission features of her spirit by installing a rough concrete post in the form of a chapel bell tower with three mission bells hung in a triangle, and a cross at the top of the design.

The requirements of cities which are far from the source of supply of standard globes, can be met with the lantern type of unit.

Thus, in modern street lighting the work of the architect and artist keeps pace with that of electrical and illuminating engineer, so that every city may acquire a lighting system which will be adequate for the illumination required, and will be the joy and pride of the entire community.

The City of Tama, Iowa, is considering the advisability of buying a motor pumper to use in connection with their fire department. The proposition of employing an engineer to make a survey as to the benefits of installing a municipal electric plant in connection with the municipal water works is also being considered by the council.

Information Bureau

Quuestions Answered Free for Officers of Members of League of Iowa Municipalities

E. C. R.—I would like your views as to the liability for street improvement bonds issued against special assessments for pavement.

The city has done pavement and has made the special assessments and has issued its bonds according to the provisions of the special assessment laws. Now, I want to know whether, in your judgment, the city in the event that the special assessment on some of the property is not paid, must pay those bonds out of the improvement fund, levied as a general tax against all the property of the city; or whether it is only liable to the amount of special assessments against the particular property assessed.

I think you are too familiar with the law governing these matters to require my calling your attention to particular sections of the statute.

If you know any particular authority or decision bearing upon this question, I would be greatly obliged if you would cite the authority. I have been unable to find any direct holding on the question involved.

I have always held that when a city issued improvement bonds that in these bonds they promised to pay over to the holder the money received from special assessment, and that this is the only money they agree to turn over. If the city does not raise money enough from the special assessments to pay these bonds there is no liability on the part of the city under the wording of the bond. Under the state law the improvement fund is levied for certain purposes, that is for the purpose of paying for street intersections and one or two other items, and the courts uniformily hold that a special fund can be used only for the purpose for which it is levied. The improvement fund cannot be used for the purpose of paying these special assesment bonds.

I do not think this particular question has as yet been passed on by the courts, because it has only been in the last few years that the plan has become general of issuing bonds instead of special assessment certificates, and it is only in the last year that the question of paying these bonds where enough money is not received from the special assessment, has been raised.

I do not know the wording of your particu-

lar bonds, but I think that if you will get a copy of one of them, that you will find that all the city agrees to do is to pay to the bond holder the receipts from the special assessments. If the city desires to pay these bonds when the money is not received from the special assessments, I do not know of any fund out of which they could be paid.

J. S. B.—There was a question brought up in the meeting the other night in regard to the price charged for shoveling snow from sidewalks. The law allows up to one and one half cent per linear foot. Can the council hire a street commissioner and pay him a certain wage, by the hour, day, month or year and the town thereby be making money by his work. For instance take a 50 foot lot at $1\frac{1}{2}$ cents per foot would be 75 cents and we hire a man for 50 cents per hour and it takes him one hour to shovel the walk, the town would be making 25 cents. Would this be allowed or not?

In regard to shoveling snow from the said sidewalks, I believe that the town cannot make a profit out of this work. The street commissioner could do this work, but you should not tax up to the property more than the actual cost of doing the work. I think that the sidewalks should be kept free from snow, but the town should treat the property owner fair in the matter and only charge them for the actual cost of the service. It would be all right to be liberal in estimating the cost on any one lot, so you could be sure to receive enough money to cover the cost of the entire lot but do not believe it would be a good plan to endeavor to make money out of this work.

M. J. H.—We would like some information in regard to a quarantine case here in town. A family has been quarantined for scarlet fever. The father was quarantined in and necessarily stopped his pay as laborer. They had a nurse 13 days. They have asked the town to pay all expenses, which they are willing to do. But can the town get it back through the county as county charge if they present bill to county supervisors. Or in other words is the county supposed to pay these bills from an incorporated town.

In regard to quarantine expenses the town is not supposed to pay these expenses. but they are paid by the county. The bill should be presented to the council, approved by them, and certified to the county board of supervisors. If the bills are reasonable the board will without doubt allow the same, but they have the right to pass on the bills even though they are approved by the council. The town should not pay the bills, but they should be certified to the county.

F. N. W.—A short time ago we had a party to drive his car into and break one of our fire hydrants. This happened at about 12 o'clock at night, the night marshal, talking with him in regard to it at the time and he said to go ahead and fix it up and that he would pay for it when repaired. This we did, and upon rendering him a bill for the same, he sends a man to see us, who claims in his talk that the hydrant was in the street and that we were lucky if we did not have to pay him for the repairs to his car. The hydrant in this case is inside the parking line and on the opposite side of the street from that on which he should have been driving on going in the direction in which he was going.

I am attaching a diagram hereto showing in detail just how the accident happened and would like your legal opinion as to what we can do in regard to this. Can we recover from him for the damages to the hydrant and are we liable to him for any damage he incurred either to his person or his car?

In regard to your inqury about the hydrant, I certainly think that the man running into this hydrant should pay for the same. I note that he claims that the hydrant is in the street but I do not know where he would expect to have a fire hydrant unless it is in the street. While it is true that the state law makes it the duty of the council to keep the streets free from obstructions, a fire hydrant would certainly not be called an obstruction any more than a telephone pole or any other pole that he would find had a right in the streets.

From your drawing and explanation of how the accident happened, this man was violating the law when he turned in the street the way he did, and was violating the law when he had his automobile on the left hand of the street to start with. If he had been complying with the law and had been on the right side of the street, he would not have injured your hydrant. I can see no reason why he should not be liable for the damage.

N. J. E.—Our town has recently bought a new motor fire truck chemical, and it is to be manned by the Volunteer fire department. We want to know if the Volunteer firemen who man this truck come under the workmen compensation law. Guess that is what you call it that compels corporations to take out insurance on employees? Also what does the law say about rights on the road in going to a fire along the street or public highway in the country.

In my judgment a member of a volunteer fire department in answering a fire alarm in town would come under the compensation law, but I doubt very much if he would come under the compensation law in answering a fire alarm in the country. A fire department maintained by a city or town is under no obligation to answer fire alarms in the country and as soon as they are outside of the town limits, the responsibility of the town would in my opinion lapse unless they were ordered to go out in the country by the mayor or someone in authority.

There is no law in regard to rules of the road so far as fire departments is concerned, except that inside of the limits the town is not liable for any damages or injuries done by the fire department's equipment. The courts hold that when a city is endeavoring to put out a fire that it is acting in governmental capacity and is not liable for injuries to third parties. The fire department however, should use ordinary care in going to a fire and especially is this true in returning from a fire.

J. S.—Are members of the Officers Reserve Corps exempt from poll tax.

The Attorney General of the state answers this question as follows:

Members of the Officers Reserve Corps are not entitled to exemption from poll tax.

C. B. W.—Can a man stop the town from condemning land for a gravel pit by opening up the pit and selling a few loads.

An attorney here has given an opinion that he can.

The state highway commission answers this question as follows:

Section 4969, C. C. "Cities and towns including cities under special charters are hereby authorized and empowered within or without their limits to procure, purchase or condemn, enter upon or take any land for the purpose of obtaining gravel, stone or other suitable material with which to improve the streets and alleys of



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Despite fire or storm or flood, a telephone operator sticks to her switch-board. A lineman risks life and limb that his wires may continue to vibrate with messages of business or social life. Other telephone employees forego comfort and even sacrifice health that the job may not be slighted.

True, the opportunity for these extremes of service has come to comparatively few; but they indicate the devotion to duty that prevails among the quarter-million telephone workers.

The mass of people called the public has come to take this type of service for granted and to use the telephone in its daily business and in emergencies, seldom realizing what it receives in human devotion to duty and what vast resources are drawn upon to restore service.

It is right that the public should receive this type of telephone service, that it should expect the employment of every practical improvement in the art, and should insist upon progress that keeps ahead of demand. Telephone users realize that dollars can never measure the value of many of their telephone calls. The public wants the service and, if it stops to think, cheerfully pays the moderate cost.

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such city or town, including a suitable roadway thereto by the most reasonable route, and pay for the same from the general fund, or from the highway or poll taxes of such city or town, or partly from each of said funds."

Section 4970 C. C. "proceedings for condemnation of land for the purpose aforesaid shall be in accordance with the provisions relating to taking private property for works of internal improvements."

We cannot see that the owner having previously opened the pit or offered for sale, gravel at a certain fixed price, can in any way stop condemnation.

Suppose that your town council desired to open up a new street through a platted portion of your town, could the owner of the property make it impossible for you to condemn by posting a sign, "Lots in this addition for sale, \$500. each."

The right of the public is always superior to the right of the individual. If the public needs land for a street or road, the public may take it. If the public needs gravel or other material for the construction of its streets or roads the public may condemn and take that material.

PORTLAND CEMENT ONE HUNDRED YEARS OLD

Old records on file in the British patent office show that in 1824, just 100 years ago, an English bricklayer named Joseph Aspdin was awarded a patent for a material he called Portland cement." At that time a number of men were engaged in experiments in an effort to produce a cement superior to the natural cements then in use. As far back as 1756 an English contractor named John Smeaton had discovered that an impure limestone containing a certain amount of clayey matter possessed decided hydraulic properties when burned. Aspdin's contribution was his discovery of the value of taking proper proportions of different ingredients and then pulverizing and thoroughly mixing them before they were burned into clinker, which later was finely ground. He called his material "portland" cement because when it hardened it resembled a building stone quarried on the Isle of Portland.

Altho Aspdin's invention was brought out in 1824, it was not until 1872 that the portland

cement industry started in the United States. Of course natural cements had been used here for years, and in the late sixties imported portland cement was gaining a strong foothold in the American market. In 1872 David O. Saylor established a plant for the manufacture of portland cement at Coplay, Pennsylvania and so far as can be ascertained this is the first plant of its kind to be started in this country. Within a few years other plants were built at South Bend, Indiana, Kalamazoo, Michigan and various parts of the east.

Many interesting stories are told in connection with the early efforts to produce portland cement in the United States. One man used a cookstove in which to burn rock while conducting his experiments. Another used a piece of sewer pipe as a kiln, and ground his material in a coffee mill. Still another pressed a bent car-axle into service as a part of a grinding machine. For a number of years the reputation of imported cements was so strong that American manufacturers had a difficult time in securing a market for their product. It was not until the late nineties that the home product took its place on an equal footing with imported cement, and eventually won the market.

One hundred years after the invention of the material, the plants of the United States are producing more portland cement than the rest of the world combined. United States Geological Survey figures indicate that about 135,000,000 barrels were made in this country in 1923.

This development has necessitated the revolutionizing of methods of manufacture. Where the early pioneers used crude dome-like kilns for burning their raw material a modern plant contains huge rotary kilns, steel brick-lined cylinders that may weigh as much as eight Pullman cars each. One of these great modern kilns will produce as much clinker in a day as one of the old kilns could turn out in a year. The old fashioned grinding machinery has been supplanted by a variety of crushers and centrifugal, hammer and ball mills, in which the raw materials and clinker are reduced to a powder finer than flour.

The centennial of the invention of portland cement is an important date in industrial history, and as such will be fittingly observed by various organizations in the building field.

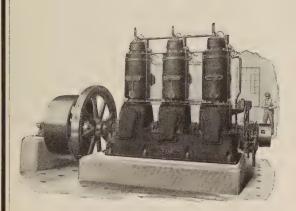
This "Y" Engine Pumped Water for \$2.55 a day While Electricity Cost \$18.10

A City Official of Arlington, Texas, writes:

"In August 1920, this city installed a 75 H. P. Fairbanks-Morse oil engine for pumping water at the city water-works. At the same time an electric installation was made. During the last eight months of 1921 we used the Fairbanks-Morse engine 206 days, and used electricity 39 days.

"The average cost per day for the Fairbanks-Morse engine was \$2.55. The cost of electricity was \$18.10."

Fairbanks-Morse pumping and lighting installations are making similar savings for hundreds of municipal plants throughout the country. Let us give you the actual facts and figures and an analysis of what Fairbanks-Morse "Y" Oil Engine will save in your case. Our representative will be glad to study your problem without obligation. Write us.



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Fairbanks-Morse "Y" Oil engines, 10 H.P. to 300 H.P., burn low-grade fuel oils—are simple in construction—practically automatic in operation—have sensitive governor—no carburetors, valves, batteries mixers, timers, igniters, magnetos, switches nor spark plugs. No hot bulb—no water injection.

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RATE OF RETURN

The Commission in Decision No. 8815 (19 C. R. C. 595) found a reasonable return for the electric operations of the Southern California Edison Company for the year 1921 to be 8.3 per cent, federal income tax being considered as an operating expense. In arriving at that rate of return, consideration was given to the then existing historical cost of money which had gone into the development of the system, the more or less unsettled conditions existing and the necessity for continuing development under those conditions. Since then the company has expended large sums of money in the extension and enlargement of its system, the rate of growth and necessary expenditures of capital at the present time being approximately 20 per cent per annum. With the enlargement and expansion of applicants' properties and the electric industry in general and the further acquisition of important economic hydro-electric developments, the hazard of the business which has generally been recognized in the determination of a reasonable return has been reduced. Moreover, interest rates have declined and general financial and economic conditions have been more stable. The evidence indicates that the effective interest rate of borrowed money now invested in the Edison Company's properties is approximately 6.633 per cent per annum, and that at present it should secure money through the issues of bonds on a basis ranging from six per cent to 6 and threetenths per cent.

"Southern California Edison Company urges

that the year 1923 will be one of especially heavy financial requirements for the reason that a large amount of additional capital will become operative and that interest heretofore charged to construction will become a charge against income. Increased sales and reduction in fuel requirements will in general fully cover these increased fixed charges.

lt would appear, in view of the general tendency towards an increase in the profits from the business caused by concentration of the load and an increase in the use of electricity, as well as reduction in operating costs, that rates should now be fixed which may result in an estimated return based on capital and sales somewhat less than would be considered reasonable on the average. On the other hand, this company is faced with the necessity of rapid enlargement of its system and of making large expenditures to meet the unprecedented growth of southern California. In view of all the conditions existing, we are of the opinion that a return of approximately 7.5 per cent on the 1923 basis (federal income tax being considered as an operating expense) is a reasonable return, it being expected that as business increases with the rapid growth of the territory served, the net return will increase somewhat. Special care on the part of the management of the utility should also result in some increases in efficiency and reduction in cost of operation a part of the results of which at least should be available to the utility as compensation for such improved efficiencies." (Rate Research.)



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They will not catch on the street, curb, pavement, walk, steps, ladder rungs or on the roof, gliding smoothly over all obstructions without catching and jerking those taking a stream of water into a building. No spring or contraptions to get out of order.

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They will load easier and the oblong lugs will not injure the hose jackets with which they come in contact when loaded on apparatus.

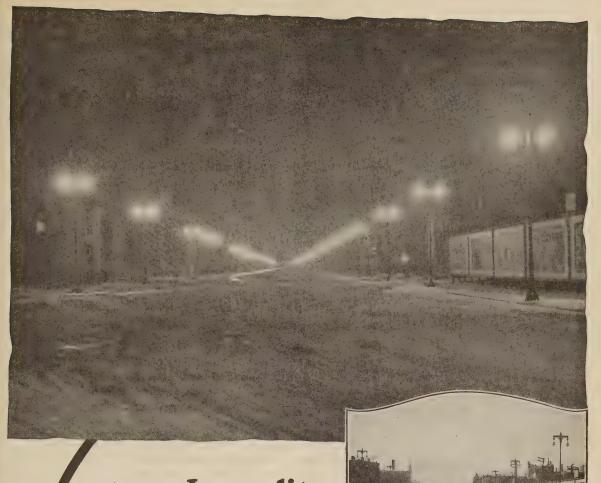
They will prevent the pulling off of several folds of hose at one time when laying a line for a fire.

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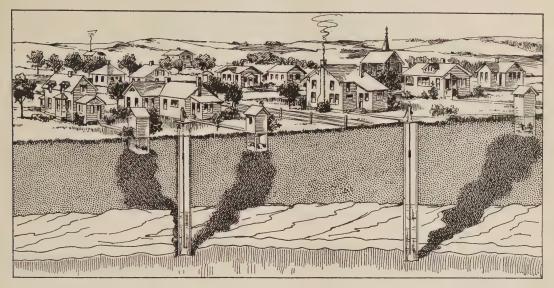
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We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the *State Board of Health* and must be built eventually by every town.

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Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

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FOR SALE at a Bargain—About 30 Boulevard post globes, 10 and 12 inch, some frosted and some clear. Are changing style of posts. Right price if you can use all of them. Town of Central City, Iowa, R. D. Minehart, Clerk.

WANTED—Chemical tank 40 or 45 gallon capacity mounted on pull cart, turn over type desired. R. H. Finnell, Whittemore, Iowa.

FOR SALE—City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable documentfiles 13½ in x 4 in x10¾ in. Cupboard: lock doors and drawers 30 in. wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

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WANTED-A second hand horse drawn street flusher. W. E. Gilchrist, City Clerk, Vinton, Ia. 423

WANTED—Position as manager of a town lighting system. A. V. Landgren, 2437 South 24th Street, Omaha, Nebr. 323

WANTED—An Iron or Copper Chemical Tank of 40 gallon capacity. One of the turn over type, and unmounted. J. Theran Murray, Clerk, Schaller, Iowa.

FOR SALE—Second hand air pressure tank, 24 ft. ong, 5 ft. diameter, 5-16 inch iron, ¾ inch head, man. hole 12x18. Previously used for air pressure only-In good condition. Can be used for any purpose. Write for price. Town of Mediapolis, Iowa, J. E. Berry, Clerk. 432

WANTED—A good used 25 to 50 HP fuel engine, O. F. Mangold, Councilman, Brighton, Iowa. 224

WANTED—A second hand Electric Siren. State price in first letter, W. S. Shaffer, Town Clerk, Colesburg, Iowa.

WANTED—A fire alarm or an Electric Siren. Ben Haselhuln, Town Clerk, Melcher, Iowa. 224

FOR SALE—One 8x10 belt driven plunger pump, in good condition, also one 8x10 geared plunger pump, in good condition and, one Goulds centrifical pump. Address inquiry to A. J. Bryant, City Clerk, Sigourney, Iowa.

FOR SALE—Two deep well pumps, one 20 h. p. gas engine, 20 h. p. A. C. motor, and other pumping equipment. Write Verlin L. Sweeley, town clerk, Adel, Iowa.

FOR SALE—Cheap. Myers Bulldoser Pump Jack, working head from 14 to 20 inch stroke; 2-40 inch Belt Pulleys 6 inch face; good as new. If interested, write to Geo. Harder, Clerk, Keystone, Iowa. 93

WANTED—To communicate with city or town who has or intends to install new cells—and will have the old ones for sale, state all in first letter. C. F. Fitzgerald Town Clerk, Alvord, Iowa,

WANTED—One Ton or Ton & one half Truck, that can be remodeled into Chemical Fire Apparatus. When answering, please state Model, how long been used, & price of same. W. T. Thorp, Baxter, Iowa. 83

WANTED—Fire Bell or alarm—preferably second hand. Book Safe—Fire-proof not less than 18'' deep and 48'' high—inside measurement,—Preferably second hand. Watchmans time Clock—with at least four keys. E. S. Genung, Clerk, McCallsburg Ia.

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FOR SALE—One 50 horse power motor Wagner make, two phase variable speed, 600 R. H. M. and one 20 horse power of same make and type, prices \$450, and \$300, both motors in first class condition. If interested write at once to city clerk, Independence Iowa.

FOR SALE—One 75 h. p. Murray Corless Engine purchased new by us in 1910, One 125 h. p. Murray Corliss Engine purchased new by us in 1915. Neither of them have been used since Dec, 1920. Reason for selling, put in high line service. Address Town Clerk, Earlham, Iowa.

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West Allis

Pronounced "VT-bro'-lith-ic"

Booklet V-1 describes Vibrolithic more fully. We will be glad to send it on request.

Tax-payers today judge pavement almost solely by the riding qualities and appearance of the surface. If it is free from waves, bumps and cracks, they are pleased.

The *Vibrolithic* method of constructing concrete pavements produces a smooth, neat riding surface which is also skid-proof. Hard stone vibrated into the wearing surface prevents the development of waves and bumps, and provides maximum resistance to wear. The dense concrete resulting from vibration practically eliminates cracking.

BUT, in addition to having a good riding surface, *Vibrolithic* pavements are durable and structurally sound. They possess maximum density which assures adequate beam strength * * * * These *Vibrolithic* qualities insure:

- (1) High load carrying capacity.
- (2) High resistance to heaving and frost action.
- (3) High resistance to absorption of moisture.
- (4) High resistance to damaging effects of expansion and contraction under changes of temperature.

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THE INSIDE STORY IOWA POSTER ADVERTISING

Vacant lots in cities are an economic waste. Like an uncultivated field on a farm, they are loss to economic progress. They are unprofitable to the owner; they detract from the appearance of prosperity and liveness of the city; growing up in weeds or used as dumps, they are unsightly and out of harmony with the spirit of growth and development. Every Iowa city desires this spirit of growth, of development, of economic progress.

Poster Panels put vacant lots to work carrying the pictorial messages that stimulate the traffic of the economic merchandising of goods. They spread and stabilize distribution. They entice the consumer into the store of the local merchant, the goods on his shelves are "turned over"; he buys more goods, the factory makes more, the factory employee is assured of steady wages, he is able to buy more for his family, there is a call for more raw products. It is an economic circle of continuous prosperity.

Poster Panels on vacant lots overcome that deadness the latter give to a city and create instead a spirit of progress.

Poster Panels change a vacant lot from a weedgrown, rubbish-littered waste place to a clean, attractive space, doing an economic and civic serivce.

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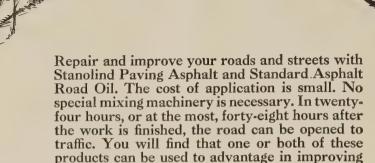
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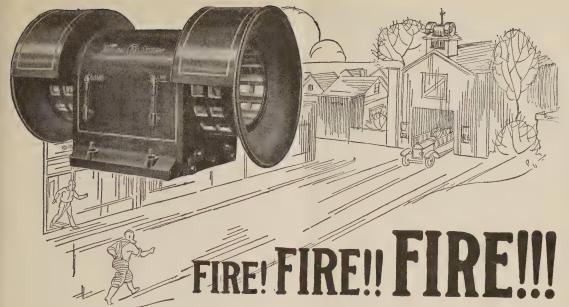
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> Approval dated October 11, 1918

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Look at the map. Find your office—the one nearest you. This is one of the 28 offices of the Portland Cement Association. Each has a staff of men whose business it is to supply you with information on the uses of concrete.

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We have for distribution helpful booklets on the many uses of concrete. They represent the accumulated knowledge and experience of twenty-one years of Portland Cement Association service. Like all other helps which the cement industry offers through the Portland Cement Association, there is no obligation.

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PORTLAND CEMENT ASSOCIATION

A National Organization to Improve and Extend the Uses of Concrete

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American Municipalities

March, 1924

Vol. 46, No. 6

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, - - \$1.00 per year Advertising rates made known on application

"For forms of government let fools contest,
What'er is best administered is best."
Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

The legislature is nearing the close of its work and so far no changes have been made in the law that are offensive to the municipalities.

The legislature is working hard to enact a code that will be the best for all the people and if the people will only do their part and let the legislators know what they want we will have a code that will be all that can be expected.

I have no use for those who seem to think that when they have nothing else to say that it is always proper to take a slam at the legislature and its members.

The members of the legislature almost without exception desire in all things to do what is best for the people they represent and the reason they do not do what you want is because you do not go to the trouble to let them know what your desires are.

The legislature is not wasting the people's money and is not wasting time in considering the bills.

More time is wasted in trying to be in a hurry than in any other way.

Legislation is not a thing that can be hurried but must be carefully considered and this is just what the present legislature is doing.

People are bound to differ in their opinions and I do not agree with the ideas of every member but I do know that even when a member does not agree with me that he is just as honest in his opinion as I am in mine.

Instead of being part of that crowd that is always finding fault, let us try and help the legislators and at all times give them a boost for their honest work.

You should read the article in this issue on standard specifications for street paving.

It looks as if this is a work that the League could take up and do a real service for the cities and towns of Iowa.

It would be a good plan to rate every one of your policemen and a rating form is given in this issue.

Try this on your policemen and see how they come out.

The supreme court has recently held that tax funds are a preferred claim and if any of your funds are in a bank that has failed read their opinion in this issue.

If your city does not have a municipal golf course get busy and get one as there is no reason why all our people cannot enjoy this game.

Make use of the Information Bureau of the League and save yourself trouble.

IMPORTANT

There is one proposition before the legislature in which every municipal official should be interested. The Senate Amended Bill 153 relating to incorporation of cities and towns by repealing section 615 of the code relating to the extension of city and town limits. The house amended the bill as passed by the senate and put this section back. This is the section under which cities and towns now extend their limits and we should by all means have it retained in the law. The bill is now in the hands of a conference committee and we can get the bill passed with this section retained if municipal officials will at once write their senator and representatives asking them to insist that this section 615 be retained in the law. This is the most important question at issue now before the legislature and if you want to retain the powers you now have write your senator and representative about it at once. It will probably be decided in the next week, so to have your letters of value they should be written just as soon as you read this. Will you help your legislative committee and write the letters to-day?

IOWA STATE COLLEGE TO HOLD METERE SCHOOL IN MARCH

Arrangements are well advanced for the sixth annual short course for electric metermen, to be held at Iowa State College, at Ames, from March 10th to 14th, 1924. Instruction on alternating current meters is divided into five sections this year depending upon the previous experience of the metermen. Meter superintendents and managers are given an opportunity to take part in one of the sections, and such topics as phase angle and ratio upon correct registration, testing and care of standards, high tension metering and metering of farm lines will

be discussed. The adjustment and testing of demand attachments will be included in the work given on both single and polyphase meters. Demonstration of the procedure of testing relays will be offered to those interested.

These sections usually comprising from six to eight men worked out very satisfactorily in 1923. Classes will be held from 8:30 A. M. to 4:00 P. M. each day, with the entire group together for general discussion during one period each day. There will also be demonstrations and lectures arranged for all, to be given by experts. There is no tuition fee charged and there will be plenty of entertainment.

JANUARY MUNICIPAL BORRÓWING SMALLER

The output of municipal and State bonds in January was sufficiently reduced, as compared with earlier months, to suggest that a scarcity of bonds might soon become a marked factor. Bond dealers call attention to the reduced supply in explanation of the rise in prices which has occurred in recent weeks.

A comparison of the \$72,534,025 bonds sold in January with the three preceding months lends weight to this argument. In December total sales amounted to \$132,167,398; in November \$94,619,158, and in October, \$101,198,462.

January is normally an active month in the bond market, due to the first of the year reinvestment demand. This year, however, State and municipal bond emissions were smaller than in the corresponding month in 1920, 1921, 1922 and 1923, indicating the tendency of municipal borrowing toward reduced volume.

The following figures, prepared by the Daily Bond Buyer, of New York, show the output of bonds in the month of January for ten years:

	3	Jears
1924		\$72,534,025
1923		98,815,515
1922		77,288,069
1921		74,181,156
1920		86,647,131
*1919		24,835,848
*1918		18,351,056
1917		39,345,640
1916		51,410,817
1915		31,366,878

*Capital Issue Committee's restrictive influence explains contraction of borrowing in these months.

Standard Specifications for Street Paving

T. R. Agg, Professor of Highway Engineering, Ames.

For many years, there has been developing a sentiment for the standardization of about every human activity (including even courtship and marriage) which in the long run has done much good, although it has in some cases led to absurdities. Some people have opposed the movement because they believe that it is possible to carry standardization too far. They point out that if progress is to be made, there must be changes in the way things are done and in the materials that are used. The advocates of standardization point out that by standardizing processes and equipment, production cost is lowered and quality is improved.

Standardization might be applied to paving practice in various ways, but the first step would be the development of standard specifications. That could be followed by the standardization of the design of types of pavement and finally by the standardization of pavement accessories, such as manhole covers and curb inlets.

Rigid adherence to any set of standard specifications or plans would in some cases entail undue cost and result in an improvement that is not exactly suited to the conditions in the locality, but such cases are so infrequently encountered as to be negligible. Standard specifications could be used for at least 90 per cent of the paving projects that arise in Iowa and would probably not only lower the cost of construction but also gradually bring about an improvement in the quality of the work.

There is ample precedent to follow in developing standard specifications because the state highway departments have for many years employed standard specifications for state work and have been able to secure satisfactory results thereby. In commercial enterprises, standard specifications are universally applied.

The volume of public improvement that must be provided in Iowa in the next ten years is so large and the cost will be so great that any step that can be taken to simplify the construction and lower costs is certainly worth while.

There has already been a large amount of standardization applicable to street paving if we could take advantage of it. The American Society for testing materials has developed standard specifications and standard methods of testng for nearly all of the materials that enter into the pavement. These standards have been worked out very carefully by committees upon which both producers and consumers are represented and when finally adopted by the society these standards probably represent the very best modern practice. Yet there are very specifications used by the cities of Iowa that include any of the A. S. T. M. standards. same is true of the standards developed by the American Society for Municipal Improvements, the American Society of Civil Engineers, the American Wood Preservers Association and the American Concrete Institute. These various societies have done a vast amount of standardization and our Iowa municipalities should have the benefit.

The fact that such a large volume of standardization of the elements of specifications has already been accomplished is good evidence that a large number of public officials are in favor of such a move. The reason is not difficult to find. The use of standards lowers cost, speeds up production and contributes to a steady improvement in quality of product.

What do we find in the way of paving specifications in use by the municipalities of Iowa? They range all the way from excellent to very poor, with the average pretty low. The most deplorable feature of the situation is the propensity for certain cities to use specifications that are copied (with minor changes) from those that have been used elsewhere thus perpetuating errors and vicious provisions. In addition, many specifications seem to be formulated to give the engineer or the council an alibi in case anything goes wrong during the construction and to befuddle the contractor who is trying to figure a proposal for the work.

Our specifications have not kept pace with the progress in paving practice. The last five years have been ones of great activity and development in the art of road building and all of the worth while improvements should be incorporated in our specifications. They should be prepared so as to permit the contractor to take advantage of all mechanical equipment that he may find to be available and especially to permit the development of standard outfits that can be used until obsolete or worn out. The specifications should cover the latest and cheapest combinations of materials found satisfactory. All of these things could be covered in standard specifications which should be revised as often as conditions require and then be used throughout the state.

Specifications have grown enormously in volume and complexity during the past few years and it is doubtful whether even the writer actually knows every detail that is covered by some of the specifications through which the contractor must wade before he files a bid now-a-days. Much detail is necessary but a great many specifications carry a lot of obsolete material and a lot that cannot possibly be enforced and was not intended to be enforced. Some provisions are carried along from year to year because we respect them for their age. But they add to the cost in many cases because the contractor must always provide against the possibility of their being invoked against him.

Standardization of specifications would eliminate much of the indefiniteness found in documents now in use. In case a particularly difficult subject is to be covered (such as those that arise in trying to define excellence of workmanship) it is quite customary to provide that compliance is to be left to the judgment of the engineer or council. This is fundamentally wrong and leads to controversies and sometimes litigation.

The present unsatisfactory situation with reference to municipal specifications in Iowa would be eliminated if standard specifications were used throughout the state. The specifications would include only approved practice as it has been developed by the great state and national technical societies set forth clearly and concisely.

Three important results would follow the

use of such specifications.

The first would be fair and honest competition between bidders. This would be insured because each bidder would know exactly the basis upon which he was expected to bid and the performance that would be required by the specifications. Manipulation and favoritism would largely disappear. The general result would be fair prices for honest work, which is what both the municipality and the real contractor would like to see.

The second would be a gradual improvement in the quality of the work and a lowering of the price. Henry Ford (and many other automobile manufacturers) makes a good car at a low price because he is putting out a standardized product, is using standard methods, and is concentrating on quantity production. Likewise quantity production methods could be introduced into the construction of pavements if they were standardized, thereby lowering the cost and increasing the quantity.

The third is that municipal officials would have the assurance that their work was being performed under adequate and technically correct specifications and could be sure the specifications were understood and respected by those who bid on the work. Officials would know that the interests of the municipality were safeguarded without imposing unnecessary restrictions on the contractor. Work would progress without friction and without quibbling over the intent of the specifications.

If some means can be found to bring about some measure of uniformity in paving specifications it will be of benefit to the public and to the contractor. The public will receive greater value for the money expended for public improvement and get the improvement with less delay and inconvenience than at present. Public officials will find that their duties can be performed with greater certainty and less friction than at present. The contractor will be constructing a standard product, which will aid him in securing materials and equipment and in organizing his work, all of which lowers cost by reducing hazard.

There is no easy way to bring about standardization of paving specifications under present conditions.

The contracting organizations are believed

to be in favor of standardizations and could probably be counted upon to give whole hearted support to any move that promises to bring about this end. Many engineers sense the importance of the move and would support it. There has as yet been no expression of sentiment from the municipal officials of the state as a group, but I have talked with many officials who have expressed keen interest in the subject.

One or the other of the following plans might be made effective.

- 1. If the League of Iowa Municipalities would request the Iowa Engineering Society to formulate standard paving specifications, it is quite likely that the society would take up the matter in an energetic manner. If they were able to produce a set of proposed standard specifications, the municipalities would probably accept them quite generally.
- 2. If the League wished to take the initiative it might establish a specification board made up of officials and engineers and work out standard specifications. The contractor should be represented on such a board.
- 3. The League might ask the legislature to constitute some kind of an official board to standardize specifications, thereby giving a legal status to the movement.

In my judgment the method first outlined is workable and offers the greatest promise of a prompt and satisfactory solution to the problem. If it should fail, one of the other methods could be tried.

While the preceding has been based on experience with paving specifications, it is probably just as desireable to standardize specifications for other kinds of municipal improvements as it is for paving.

THE INSPECTOR

Inspection is the keynote of quality construction. On it depends, more than on any other factor, the production of satisfactory pavements.

Given a good design and proper specifications, it is the inspector's job to apply these to the construction of concrete pavement in such a manner that in the finished structure, the purpose of the design has been faithfully and accurately carried out. He must be able to control the details of fabrication so closely that the desired quality of the product will result.

It is not an easy job, for the building of pavement is subject to many disturbing influences that it is only by painstaking attention to every detail that best results can be assured.

Primarily, the inspector is interested in results rather than methods. But because methods affect results, he must be able to detect improper methods and suggest correct ones in their place. He should have an understanding of the contractor's problems and should be willing at times to assist in solving them. An appreciation of the contractor's position will do much in making the relations between contractor and inspector friendly and satisfactory.

A knowledge of the factors affecting the quality of concrete is, of course, a fundamental part of the concrete pavement inspector's equipment. Without it he cannot know how to control accurately the making of concrete of any desired strength. Research has shown that the quality of concrete is dependent on certain definite factors and experience has shown that these factors can be controlled in a practical manner in the field.

Inspection plays an important part in civil engineering work. It calls for technical knowledge, tact and judgment. It provides valuable training and is a vital phase in the experience of the young engineer. During the engineer's experience as inspector, he is usually getting his first contact with actual construction work and is not only establishing methods and habits of work, but is beginning to build his reputation.

Lax inspection leads to poor results, vacillating inspection brings about unsettled conditions and disputes; arbitrary, dictorial inspection means friction and hard feelings. It is only through firm, intelligent inspection, based on a thorough knowledge of construction principles and an appreciative understanding of the contractor's problems that good work will be produced.

The building of a good pavement does not depend entirely on the inspector but no individual in the long chain of workmen and officials engaged in pavement construction does more to secure a satisfactory job than the inspector. His work is faithfully recorded in the condition of pavement built under his supervision. (Concrete Magazine.)

Rating Form for Policemen

By S. E. Rose, Bureau of Governmental Research, Detroit, Michigan

The Detroit Bureau of Governmental Research has just completed a study on the qualifications that are required by policemen and in co-operation with the Detroit police department has prepared a standard rating form for use in periodically rating members of the police force.

As training to be given policemen should develop the qualifications enumerated in this form, it is believed that it may be taken as the basis for a system of training.

Also this form should be of general interest to city managers and of use in rating and in keeping a record of the qualifications and performance of members of the police force.

Mark on scale of 10; excellent 10; good 8; fairly good 6; poor 4 very poor 2.

(10) ...

(Maximum 100)

1 Physical condition

т.	I hysical condition	(10)
2.	Neatness and bearing	$(10)\dots$
3.	Intelligence	$(10)\dots$
4.	Discipline	$(10)\dots$
5.	Attitude towards his duty	$(10)\ldots$
6.	General ability	(10)
7.	Exercise of authority	(10)
8.	Preservation or order	(10)
9.	Handling arrests	(10)
10,	Getting and presenting	
	evidence in court	$(10)\ldots$
	/2 // 4	00)

Would you give this man an important independent assignment where he would have to rely on his own judgment in unusual circumstances? (Answer "ves" or "no")

Have you given him any such assignments? (Answer 'yes' or 'no.' If 'yes' explain on back.

Has this man done any unusual work which you believe should be placed on his record, either good or bad? (Answer "yes" or "no." If "yes bad" or "yes good" explain on back.)

														٠	
Signed	by								٠						
Rank						٠									

Instructions to commanding officer filling out service rating form, to be kept before him and used as a guide while rating patrolmen.

Detroit Police Department

PHYSICAL CONDITION

Does he keep in training (in the pink of condition) or is he fat and lazy?

Is he physically alert and aggressive?

NEATNESS AND BEARING

Has he a millitary bearing?

Is he neat and clean in his person and dress?

INTELLIGENCE

Does he write clear and complete reports, or is it necessary to interview him in order to get all the facts?

Does he understand the meaning of orders easily, or does he require lots of explaining?

Does he act with excellent, good or poor, judgment when he has no instructions to guide him?

DISCIPLINE

Is he punctual?

Is he truthful?

Is he respectful to his superiors?

Does he, in his work, get along well with fellow officers?

ATTITUDE TOWARD HIS DUTY

Does he take his work seriously and appreciate its importance?

Is he courteous and good natured in the performance of his duties? Or is he argumentive or grouchy?

Does he keep well posted on current orders and show eagerness to learn?

Does he know the laws and ordinances?

GENERAL ABILITY

Has he natural ability for police work?

Is he a hard worker, or lazy?

Is he thorough in his work or careless?

Is he reliable in carrying out orders?

EXERCISE OF AUTHORITY

Does he exercise authority with judgment and due restraint or tend to abuse his power?

Does he stand behind his actions or shirk responsibility (pass the buck)?

Does he notice and report ordinance violations?

Does he keep cool in emergencies?

PRESERVATION OF ORDER

Is his beat well looked after?

Does he keep his beat in good condition by working with the residents?

Does he handle a crowd good naturedly, or does he bully and quarrel with it?

Is he helpful to the public?

HANDLING ARRESTS

Does he exercise good judgment in disposing of minor cases?

Does he make unwarranted arrests?

Does he note and follow up suspicious characters?

Has he ability to handle trouble makers and fighters?

GETTING AND PRESENTING EVIDENCE IN COURT

Does he preserve evidence?

Is he familar with court procedure?

Can he prepare a case for court?

Does he present proper evidence clearly? [Kansas Muncipalities.]

ANOTHER PROPHET JUDICIALLY VINDICATED

The Kenyon Hotel Company and others (more than sixty of them in fact, consisting of companies owning and operating hotels, together with private citizens) sought to enjoin as unreasonable and discriminatory the enforcement of an ordinance adopted by Salt Lake City, declaring it unlawful for an omnibus, taxicab, or other vehicle used in carrying passengers for hire, to be parked within three hundred feet of particular depots, with certain exceptions. On an appeal by plaintiffs from a judgment denying the relief sought, Judge Frick, of the Utah Supreme Court, in Kenyon Hotel Co. v. Oregon Short Line R. Co., 520 Pacific Reporter in discussing the wisdom of the rule against plaintiffs' contention, say: "Here we have more than sixty plaintiffs, among whom are some hotel companies, all of whom claim the right to use every part of the streets adjoining the railroad depots with their vehicles, consisting of motor cars of all kinds, for the purpose of soliciting trade or for any purpose. In addition to appellant, all hack drivers, taxicab drivers,

drivers, expressman, sight-seeing vehicles, and all others would claim the same rights and privileges. If, therefore, there were not some controlling or governing influence regulating the traffic and fixing limits to the use of all kinds of vehicles in front of and near the entrances to the railroad depots, every one passing to and from such depots would be in constant peril. prophet Nahum, it seems, must have had in mind a condition somewhat similar, yet in a much less aggravated form, than would prevail around our depots if appellents' contention should prevail. The prophet tells us: "The chariots shall range in the streets; they shall jostle one against another in the broad ways; they shall seem like torches; they shall run like the lightnings.' Nahum, ii, 4. It would be interesting indeed to obtain the prophet's description of some of our present-day street scenes at or near some central point, where all kinds of motor vehicles congregate, and are operated by all kinds of drivers, and engage in all kinds of service, and where each traveler claims the right to choose his own course, and to drive or park his car at any place he chooses. What protection, under such conditions, the public would have in to or from one of our depots at train time is more easily imagined than described, and we shall not attempt a description."

FARM PLANT AS CENTRAL STATION

One of the most remarkable small light and power plant installations on record is that in the town of Ira, in Cayuga county, New York State, where a Westinghouse Type E-30-32, volt outfit almost does the work of a central station, carrying a load of 750 watts every night and supplying electricity for lighting a store, a home, two garages, a barn, a post office, an office building and four 50 watt street lights. There are 56 lights in the buildings supplied by this plant. In addition to this service, the plant generates electricity for household appliances and for charging radio and automobile batteries.

The plant performing this remarkable service is a standard Westinghouse outfit consisting of a gasoline engine, an electric generator, and an electric starter and control, all built into a single unit. A 6,000 watt hour storage battery is used.

Tax Funds Preferred Claims

Iowa Supreme Court Decides that Tax Funds are Paid First

On January 10, 1924, the Supreme Court of Iowa handed down an interesting decision in connection with funds deposited by and claimed for county as being those funds representing collected taxes. The bank serving as a depository failed. The county commenced action against the receiver on the claim that said funds were a preferred claim. The bank had given a surety bond and contemporaneous action was begun against the assured company and both cases were decided to the following decision. Legal action was based upon the following statute: Section 3825-a, Supp. Code 1913 (Compiled Code) 8406.)

"When the property of any person, partnership, company or corporation has been placed in the hands of a receiver for distribution, after the payment of all costs the following claims shall be entitled to priority of payment in the order named:

"Taxes or other debts entitled to preference under the laws of the United States.

"Debts due or taxes assessed and levied for the benefit of the state, county or other municipal corporation in this state.

"Debts owing to employees for labor performed as defined by Section 7690."

What applies to county would probably be held also to apply to state or city funds if that question arose, as they are specifically mentioned in the above statute as well.

Action to recover on a claim of Buena Vista county, Iowa, and to establish same as a preferred claim against the receiver of the Marathon Savings Bank, an insolvent, and to hold the American Surety Company of New York, liable upon its depository bond given to secure the county and its treasurer against deposits in the said bank. The trial court decreed the claim to be preferred in the sum of \$22,576.78, as prayed for, and found that the bond of the surety company is a valid, existing obligation, and a conditional judgment was entered against the surety company for any balance not in excess of

\$12,000, the amount of the bond, unpaid by said receiver. The receiver was directed to pay at once to the county the amount decreed from any funds in his posession as receiver of the bank as a preferred claim. The Marathon Savings Bank and A. L. Whitney, receiver, appeal.

This appeal involves two actions which were consolidated for the purpose of trial and decree and by stipulation were tried on the same evidence and "as an equity action." The first case noted in the caption was instituted by Buena Vista County, Iowa, and W. C. Skiff. as treasurer of said county, to enforce a claim of \$22,576.78 in favor of the county against A. L. Whitney, receiver of the Marathon Savings Bank an insolvent, and the petition was filed in a receivership proceeding as a petition and claim for preference. In this case the American Surety Company intervened.

The second case noted in the caption was instituted by Buena Vista county, and W. C. Skiff, as treasurer, as an action at law, against the American Surety Company upon its depository bond in the sum of \$12,000 given to secure the county treasurer as to deposits of the county made through him in the Marathon Savings Bank. In this action both the receiver and the bank were made parties defendant.

Preliminary to the disposition of the first point on this appeal it may be stated that on the 22nd day of April, 1921, W. W. Bennett, cashier of the Marathon Savings Bank, E. B. Wells, its president, A. L. Whitney, its attorney, and one or two other persons, prepared and signed a petition in equity for the appointment of a receiver for the bank. This action was entitled, "W. W. Bennett v. the Marathon Savings Bank of Marathon, a corporation." Due and timely notice of the hearing was given and subsequently A. L. Whitney was duly appointed as receiver and qualified. Whatever power he has exercised or claimed is by virtue of his appointment in the receivership proceedings predicated on chapter 12 of title XVIII of the code. No party to this action can now be heard to question his standing as such receiver or the jurisdiction of the court in appointment of him. Section 1877 of the code in force and effect at the time of the appointment of the instant receiver is a permissive statute, and provided that the auditor of the state, may with the assent of the attorney general, apply to the courts for the appointment of a receiver of a bank. It therefore results that the status or acts of the receiver in this case cannot now be impeached.

This being true, the first question to determine is whether the claim of Buena Vista county for tax money deposited with the Marathon Savings Bank is a debt due the county. If the claim of the county constitutes a debt in a legal sense then the receiver must pay such debt as a preferential claim by virtue of the statute. Sec. 3825-a, code supp. 1913. This statute provides the order of claims entitled to priority when the property of any person, company or corporation is in the hands of a receiver for distribution, and with the exception of taxes or other debts entitled to the preference under the laws of the United States, "debts due or taxes assessed and levied for the benefit of the state, county or other municipal corporation in this state are entitled to priority." This is a salutary statute. It is founded in wise policy, and is a recognition of the fact that the state must endure and the functions of government must not cease. siderations of what is expedient for the commuity is of vital concern. It involves the doctrine of social self defense. It arises from an inarticulate conviction based on an instinctive preference. Every modern civilized society subordinates the individual to society, and at the same time aims to impose the minimum of sacrifice on its citi-The statute in question applies to all persons or aggregations of persons, natural or juristic, and finds its foundation in strong sense and stern political morality. It must find application in the instant case.

Section 1877 of the code provides for the liquidation of insolvent banks by the distribution of the assets thereof "ratably among the creditors thereof, giving preference in the payment to depositors." This section does not conflict with the terms of sections 3825-a, code supp. 1913. In the latter statute the legislature contemplated and intended that certain claims should

have priority over the claims of depositors and creditors, whether preferred or otherwise among themselves, and in fixing the order of priority determined that the assets of any corporation in the hands of a receiver for distribution should be subject to the payment of certain claims in a defined order of priority. Under this statute debts due the county are entitled to preference over depositors or other creditors.

With this view of the situation it is immaterial whether or not the claim of the county against the receiver is bottomed on a theory. There is but one primary tion: Is a debt owing by the bank and now owing by its receiver, in a fixed and liquidated amount? If so, is it entitled to statutory preference? The amount is not in dispute. Clearly the county is the real party in interest. is irrevocably established by the pleadings and the proof. In fact, no such question was raised in the trial court and the ownership of the claim cannot for the first time be raised on appeal. The court decreed that the debt was owing to the county, and established its priority. The decree is res judicata as to the substantiative rights of all persons interested in the subject matter.

The undisputed record facts disclose that the moneys received by the appellant bank were received in payment of taxes to Buena Vista county. The moneys solicited consisted of cash and checks delivered to the bank by local taxpayers who upon making such payments were given tax receipts by the bank which it had received from the county treasurer for that purpose. The funds so received were placed to the account and credit of the county who was the owner, and who was entitled to all these sums so paid by the tax payers. Clearly the money belonged to the county, and clearly it constituted a debt owing by the bank to the county. A debt includes every obligation by which one is bound to pay money. Swanson v. Ottumwa, 118 Iowa, 161. No one disputes that the bank owed the debt in its entirety.

We conclude from the existing relations that there existed a right of preference in favor of the county and the decree entered by the trial court is affirmed.

Preston, Stevens and Vermillion, JJ: concur. The following opinion of the attorneys of the Iowa Bankers Association is interesting as applying to National Banks. Cities and towns will be in better shape in case of a bank failure if they deposit their funds in a state bank rather than a national bank.

Attorneys opinion as to whether courts decision would affect the county funds in a national bank.

Yours of the 23rd in reference to decision of the supreme court of Iowa in Buena Vista v. Marathon Savings Bank received. You ask as to whether or not this decision would apply to state and county funds deposited in a national bank. In my opinion it would not. The supreme court of the United States in Davis v. The Elmira Savings bank, 16I U. S. 275, had under consideration the question as to the power of the state to grant preferences of this character. In that case the legislature of the state of New York had provided that debts due savings banks from insolvent banks should be preferred. The receiver of the National Bank of Elmira, which had failed, declined to accede to the demand for preference, predicating his refusal on the provisions of the United States Revised Statutes, 5236 and 5242. The court of appeals of New York sustained the claim of preference for the savings bank. From this ruling of the court of appeals a Writ of Error was taken to the supreme court of the United States and the decision of the court of appeals was reversed. The court held that the statutes of the United Stated directed how the assets of the insolvent national bank should be distributed and controlled and that the statute provided that after the circulation debts had been paid that the funds should be ratably distributed among the creditors: that the statute of the state of New York gave a contrary command, hence the statute of the state of New York was overruled or controlled by the federal statute; that there being an absolute repugnancy between the provisions of the two statutes, the federal statute would control.

So in this case, the statute giving a preference to public funds, as it does conflicts with the provisions of the federal statute above referred to and prevents a ratable distribution required in the federal statute. The state statute, therefore would have no effect whatever as controlling the distribution of funds of an insolvent national bank. So far has the federal court gone on this

that it calls attention in the opinion that although generally debts due the United States are preferred, yet under this statute the Attorney General had ruled that a ratable distribution was required under the laws of the National Banking Act and that deprived the United States of their preference, except that given by the payment of notes issued by such banks. It further says, this construction has been the rule administered by the comptrollers of currency in the liquidation of national banks from that date and was directly sustained in Cook County National Bank v. U. S., 107 U. S. 448.

The decisions commented on has been followed in some later decisions and is good reasoning and is undoubtedly the law, and, therefore, in the case the of failure of a national bank, neither a state, county, city or school dtstrict would have the preference under Section 3825-a, supplement of 1913.

Very truly yours,
Parsons and Mills,
Attorneys of The Iowa Bankers Association.
By J. M. Parsons.

THE A B C's OF ELECTRICITY

So completely has electrical energy become a part of the current of life and of civilization that the world, in seeking information relating to the nomenclature of electricity, finds that:

The unit of electrical current is the ampere.

The unit of electrical pressure which causes the current of flow through a conductor is a volt.

One ampere of current at one volt pressure equals one watt of power.

A kilowatt is one thousand watts.

A kilowatt-hour is one thousand watts for one hour.

A horse power is 746 watts.

A horsepower hour is 746 watts for one hour.

Ten 100-watt lamps burning for one hour consume one kilowatt hour of current.

Forty 25-watt lamps burning for one hour consume one kilowatt hour of current.

She: "You passed me on the street a while ago and never recognized me."

He: "What! Was that you with those open-work flesh colored stockings?"

Gas Costs in New York

Gas Rates Fixed by Special Master

Special Master James G. Graham filed on Jan. 29 in the United States District Court for the Southern District of New York his final report and opinion in the action brought by the New York and Queens Gas Company to enjoin the enforcement of the dollar rate and the 650 British thermal unit standard prescribed by Chapter 899 of the laws of 1923. This decision is the first one rendered in the series of actions brought by the various gas companies in New York City to establish the invalidity of the 1923 legislation as to gas rates and standards. The opinion deals with many questions of the utmost importance to the gas and electric industry, and is perhaps the most notable decision yet rendered in the Federal Courts as to the right of the utilities to earn a return upon the full present value of their pro-The report as filed recommends to the court that the dollar rate be permanently enjoined, and that an injunction also issued against the 650 British thermal unit requirement until such time (estimated at about nine months) as the company can adjust all appliances and gas-burning devices for the safe and efficient use of gas of that calorific content. Chapter 898 of the laws of 1923, which prohibited a service charge, is held to have been confiscatory in so far as it temporarily limited the New York and Queens Gas Company to a rate of \$1.15 per thousand cubic feet of gas, and to that extent it is enjoined accordingly. The Special Master holds, however, that this statute should not be construed to prohibit anything except a form of rate which includes what is called a service charge. As so construed, the Special Master holds that the legislature had power to determine the form of rate and that Chapter 898 is "a valid exercise of the legislative power."

As to the 650 British thermal unit standard, the opinion of Special Master holds that it would be "dangerous to persons and property" for gas companies to try to furnish 650 British thermal unit gas without first carefully inspecting and adjusting all appliances; that to make such ad-

justment will cost a large sum of money, which the consumers will have to pay; that even after such adjustment of appliances, 650 B. t. u. gas will still be "uneconomical and inefficient," and will cost the consumer more than six cents per thousand cubic feet more than gas of the 537 British thermal unit standard fixed by the Public Service Commission on August 30, 1922, opinion of the Special Master recommends that the 650 British thermal unit standard be enjoined for a period of about nine months. After that time, the standard fixed by the legislature will go into effect, as a matter within the legislative discretion, unless the same is changed by the legislature or Public Service Commission or is held invalid by the New York State Courts.

On this subject the filed report of the Special Master says, in part:

The provisions of Chapter 899 of the laws of 1923 were specified and required by its terms to be and become effective immediately upon the signing of the measure by the governor of the state of New York, and required the plaintiff forthwith to comply with the provisions thereof in respect to the thermal content of the gas delivered to consumers. In order that gas of the thermal content prescribed by the said provision of Chapter 899 of the laws of 1923 might be furnished to the plaintiff's consumers under conditions assuring the safety of such supply, it would be necessary, before the plaintiff undertook to furnish gas conforming to such a standard, to have all the various gas appliances used by the plaintiff's consumers again changed and readjusted so as to adapt them to the use of gas conforming to such standard. Such appliances in use by the plaintiff's consumers number more than 43,000. It would have been physically impossible to change and readjust the gas appliances used by plaintiff's consumer in order to adapt them to the safe use of gas of such standard forthwith, and such work would necessarilly have occupied a period of about nine months; · and, if the plaintiff had attempted to comply with the requirement of the said provision and to furnish gas of such standard before such changes were made, the supplying of such gas would probably have resulted in injury to life and property. Such changes in the adjustment of gas appliances to adapt them to the use of gas of the standard prescribed by the said Chapter 899 would impose upon the plaintiff the expenditure of a sum largely in excess of the sum already spent in changes to adapt gas appliances to the use of gas of the standard prescribed by the said order of said commission; and the use of gas of the standard prescribed by the said Chapter 899 would, in many cases, require the purchase by consumers, and the substitution of new appliances, which would cost such consumers substantial sums of money and which could not, in any event, be manufactured and delivered to them in less than a year.

"The plaintiff was and is entitled to a reasonable opportunity to make or have its consumers make such adjustment of or changes in the gas appliances as were necessary to adapt them to the consumption of gas of the standard prescribed by Chapter 899 of the laws of 1923, and in so far as the provisions of the said Chapter 899 of the laws of 1923 did not afford the plaintiff such an opportunity, the said statute was and is violative of the constitutional rights of the plaintiff to enjoy and use its property and manage and conduct its business. The plaintiff was entitled to a safe and adequate judicial review of the legality of Chapter 899 of the laws of 1923, both in respect to the provisions relating to the rates fixed therein and in respect of the standard of gas prescribed thereby, and the plaintiff was and is entitled to have the operation and enforcement of the provision of Chapter 899 of the laws of 1923 in so far as it prohibits the plaintiff from furnishing gas of a standard other than that prescribed therein judicially enjoined pending such a judicial review and until a reasonable opportunity had been afforded to it to comply with the requirements of said statute."

As to Chapter 898 of the laws of 1923, in relation to a service charge, as to which the preliminary rulings in this case have been commonly misunderstood throughout the industry, the opinion of Special Master points out that although the plaintiff has suggested that this statute "is literally susceptible of an interpreta-

tion" which would give it a broader scope and effect than the inclusion of a service charge as a part of the rate for gas, the Special Master holds that "such a construction should not be placed upon the statute." Thus construed to do no more than prohibit the use of the form of rate which includes what is called a service charge, the provisions of Chapter 898 of the laws of 1923 are held to be within the legislative discretion as to the form of public utility rates, so long as the adequacy of revenues there from is not impared. It has been stated by counsel for the Company that the decision does not affect adversely, or require any change in, any gas rate in New York State, because no company in this state has a form of rate which includes a service charge.

From the time this statute went into effect on June 1, 1923, until the New York and Queens Gas Company was able to promulgate and put in effect an equivalent flat rate of \$1.38, in place of its former rate, composed of a commodity charge of \$1.15 per thousand cubic feet of gas furnished plus a service charge of 75 cents per meter per month, the enactment of Chapter 898 forbade the company to collect anything except the commodity charge of \$1.15 per thousand cubic feet of gas supplied, and thus limited the company to a \$1.15 rate.

In so far as the enactment of Chapter 898 of the laws of 1923 temporarily limited this company to a rate of \$1.15 per thousand cubic feet of gas sold, the opinion of the Special Master holds that this statute was unconstitutional and confiscatory, because a \$1.15 rate is found to be inadequate and confiscatory for this company. The action of the Special Statutory Court in temporarily enjoining the service charge statute as confiscatory is therefore upheld by the Special Master, although the statute became a valid exercise of the legislative discretion just as soon as the company was able to put in effect an equivalent flat rate. The Special Master makes it clear that he was not passing upon the propriety of legislation prohibiting a service charge, but points out that the Federal Court had the power to prevent confiscation, but had no power to review state legislation merely because it is unwise and contrary to the best interests of the public.

The Special Master thus found and reported

to the Court that for the New York and Queens Gas Company both a dollar rate and a \$1.15 rate were confiscatory, as yielding much less than a fair return on the value of the company's property, over and above actual operating expenses. Some signifigance has been deemed by counsel for company to attach this finding that a \$1.15 rate was and is confiscatory by a margin of more than 35 cents per thousand cubic feet of gas sold, because the Consolidated Gas Company and its affiliated gas companies in Manhattan and the Bronx are now charging \$1.15 as the rate fixed by the Public Service Commission by orders entered on August 30, 1922. If this rate is confiscatory by so wide a margin in the Borough of Queens, it was deemed likely that the rate of \$1.15, as well as the dollar rate, would be found inadequart in the rest of the territory served by the Consolidated Gas Company system.

The report of the Special Master, as filed, adheres to his view that the plaintiff gas company is entitled to a return upon the present value of its property, at a figure closely approximating its present replacement cost, and not merely upon the plaintiff's original investment in the property. The Special Master refused to make any deduction for so-called "depreciation." The actual minimum investment of the New York and Queens Gas Company in its gas property is found to amount to \$2,602,261.63 while the present value of the same property is found to amount to at least \$3,911,311.81. On the present value of the property, the company is found constitutionally entitled to earn a return of eight per cent per annum. The present actual cost of making and distributing gas is found to exceed one dollar, aside from any return whatever upon the property or investment.

NON-TAXABLE PROPERTY

There is about \$54,000,000,000 of taxexempt property in these United States. In other words, slightly less than one-fifth of our national wealth, or one-third of all property assessed under the general property tax which forms the bulwark of state and local government finance, does not pay a penny of tax.

The Oelwein council have outlined a paving program for the coming year totaling 58 blocks.

RESPONSIBILIY FOR HIGHWAY ACCIDENTS

Statistics are not complete as to the number of accidents that occur on the highways of this country. An appalling number of people are killed and injured every year. Examination as to the causes of accidents shows that the principal factors are sharp curves, impared vision due to fences, over-hanging trees, embankments, excessive grades, too narrow bridges, slippery road surfaces, dangerous detours, and too narrow roads.

More people travel in autos to-day than are carried over our steam railroads. If our government permitted a railroad to kill and maim its passengers because of too sharp curves, too steep grades, defective rails, improper signals or too weak bridges, the people would speedily change the government.

It is all very well to build concrete highways and improve our road surfaces so that riding is a pleasure, but when this is done speed is inevitable. It is human nature to step on the gas when a nice stretch of road is visable ahead. At night time it is impossible to see the hazardous or dangerous places unless some sort of a warning signal is installed to attract attention to such places.

The responsibility for accidents rests upon the highway officials whether state, county or municipal. The roads have grown almost over night, from paths through the forests to highways. The automobile traffic is growing by leaps and bounds. The government has been used to highways as safe ribbons of traffic. It has taken little cognizance of the dangers which the road, safe for horse and buggy, provides for a car.

A hundred miles of cars are being built each day and the need for good roads is paramount. Yet, in one state alone, the press reported night accidents at curves, bridges, detours, culverts. abutments, etc., in three months' time, as follows:

108 accidents, 33 deaths, 39 injuries.

The property damage is excessive, but the loss of life cannot be counted in dollars and cents. The accidents as reported in the press, a few of which are referred to here, are typical of what happens each night on the highways throughout the country motorists. Chambers of Commerce, Safety Organizations, Women's Clubs, should take this matter in hand and force the proper safeguarding of these roads.

Municipal Golf Courses

Every City Should Have a Municipal Golf Course

A pastime which takes one out-of-doors, which provides exercise of body, and mental relaxation, is much to be desired. Such a pastime is golf. No sport has made such a popular appeal. It is a favorite with thousands of people, both men and women, young and old. If golf courses are not too far away and the cost not too great, still more people will wish to indulge in this favorite sport, particularly those in and about the larger cities.

The superintendents of public parks in all cities attempt to make the parks available for recreation to the greatest number of people. Golf is a very attractive game, and, therefore, the larger parks in our cities are supplying municipal courses. These courses are open to all, upon certain simple conditions. One great advantage of the municipal course is the fact that the cost to the player is considerably less than in private clubs. A second advantage is that it provides an opportunity for beginners to learn and to make mistakes in a place where they are not conspicuous.

The first municipal golf course in the country was opened in Boston in 1891. Boston has two courses at the present time, one 18-hole course and one 6-hole course, a total of 125 acres, which is used by over 20,000 persons yearly.

A survey of the cities made during the past few months by direct questionnaire, added to by research into the recent annual reports of the Park Departments, and by all printed material on the subject shows that there are ninety-nine municipal golf courses in sixty-three cities, most of them being in the larger cities. Some smaller municipalities, as Elgin,, Ill. Rockford, Ill. Evansville, Ind., and Sioux Falls, South Dakota have golf courses. In addition to the number stated, seven cities report that municipal golf courses are under construction; these are: Los Angeles, Cleveland, Springfield, Mass., Oakland, Cal., Providence, R. I., Duluth Minn., and Nashville, Tenn. A total of 106 courses in

69 cities may now be counted. The acreage of 60 of these courses amounts to 5,438, an average of about 90 acres to a course. The size if the links vary greatly; in some cities they have 90 acres for a 9-hole course and in others only 25 acres for a 9-hole; 18-hole courses run as large as 175 acres while some are only 90 acres.

It is practically impossible even with statistics directly from the departments which have jurisdiction over these municipal golf courses to give the number of persons playing golf on these courses, because there is no uniformity in the keeping of records. Some cities keep daily records and have reported only daily averages, while others give annual registrations, and others give annual memberships or individual permits. Certainly the privilege of using these golf courses is appreciated as there seems to be evidence that most of them are crowded, especially on Saturdays, Sundays and holidays. Washington D. C. reports 198,402 players annually on four 9-hole courses, Chicago has 342,246 on its three courses under the South Park Commissioners, Philadelphia reports 80,000 annually on one course. Portland, Oregon, 75,000, Des Moines, 140,-000, and Elgin, Ill., 56,000 annually.

There is likewise a great variety in the fees charged for municipal golf. A number of cities furnish this sport free of charge, these are: Toledo, Baltimore, Milwaukee, Louisville, Ky., San Antonio, St Joseph, Mo., Springfield, Ill., Memphis, Tenn., Buffalo, N. Y. and Elgin, Ill. Some cities charge per game or round; this varies from ten cents to fifty cents. Others charge by the season, month or day; the usual amount being \$10 a season, \$2. per month or fifty cents daily. Others have no season rates at all, but charge every player by the day, 25 cents to \$1. daily. Some cities make a difference in rates charged to men and women, not many however. The majority of the municipal courses make a small charge; of the total number only ten allow their courses to be

Almost every city furnishes golf houses

which are free to patrons of the course, though in most cases locker charges are made—a nominal sum, sometimes \$1. up to \$10. Practically all cities have a professional golfer on the course who will give instructions if desired. Caddies are also provided; in some cases there is no extra charge for caddy service.

It is interesting to note that in a good many cities it has been found advantageous to have clubs even on the public golf courses. These clubs have been organized as purely social organizations. A person may join or not as he wishes. Such a club in connection with a municipal golf course increases its popularity and is to the advantage of all who wish to use the course. No advantages are granted members, but these clubs do much to keep the morale of the players to a high standard, and help to enforce rules, and they are also a means of securing for players reciprocal privileges with private clubs.

OVER FIFTEEN MILLION PEOPLE LIVE IN ZONED CITIES

More than 15,000,000 people live in zoned cities, towns and villages, according to information made public to-day by the division of the Building and Housing of the Department of Commerce. Computations shows that the homes of 27% of the total urban population of the country are located in zoned municipalities, and it follows that most of these homes are protected from intrusion of garages, stores, warehouses or manufacturing plants.

Zoning regulations provide, by a neighborly kind of agreement, that a city or town shall be divided into districts in which the uses for which structures may be built, their maximum height, and the area of the lot which they may cover, are established. In line with the zoning plan, certain districts are set aside for residences, for apartment houses, for office buildings and for manufacturing. Ample provision is made for normal growth of business and industrial districts, but the builder of a garage or factory is not allowed to erect it within a residential neighborhood regardless of the annoyance and money losses inflicted on surrounding home owners.

The department's investigation shows that in 1922 zoning spread especially rapidly in smaller places. Fourteen towns with five to ten thousand inhabitants were zoned during the year, bring-

ing the total zoned towns in this class to twenty-three. Twelve places with 5,000 inhabitants or less were added to the list in 1922, bringing the total in that class to seventeen. The percentage of large cities which have already zoned remains much greater, of course, and of the fifty largest cities in the country, twenty-two have zoning ordinances in effect.

In the entire country, 109 cities, towns and villages were zoned on January 1, 1923, as compared with 55 just one year before.

New York the largest city in the country, has been zoned since 1916, and in contrast, the smallest zoned community had only 131 inhabitants according to the 1920 census. Eighty-one per cent of the urban population of New York state lives in zoned municipalities. California ranks second among the states with 17% of her urban population zoned; Minnesota, third, with 58%; New Jersey, fourth, with 57%; and Utah, fifth, with 55%. The entire District of Columbia is zoned.

In number of places zoned, New Jersey leads with 31; New York is second with 17; California, third, with 14; Illinois, fourth, with 10; Ohio, fifth, with 9; and Massachusetts and Wisconsin follow with six each.

The complete list of zoned municipalities, as of January 1, 1923, with reference to the state acts under which zoning is permitted, may be obtained from the Division of Building and Housing of the Department of Commerce which, also has available for distribution such pamplets as "A Zoning Primer," explaining in popular style the elements of zoning, and "A Standard State Zoning Enabling Act," a model act for the assistance of states in preparing laws permitting city zoning.

Zoning ordinances have been adopted by 109 municipalities throughout the country according to records obtained by the Division of Building and Housing of the Department of Commerce. This shows the rapid progress of zoning since January 1, 1922, when only 55 municipalities had such ordinances in effect.

Sunday School Teacher: "Do you know where little boys go to who go in swimming on Sunday?"

One of the Gang: "Yes, ma'm, its further up the creek, but you can't go 'cause girls ain't allowed."

Two Bottle Opinions

There is an old legal saying that a man's house is his castle and cannot be entered except by observing the forms of law. According to a recent decision, the same rule applies to a man's hip pocket; and although the presence of a bottle protruding therefrom may arouse suspicions that he is not an advocate of the prohibition laws the bottle is safe from seizure by officers of the law when they are not armed with a search warrant. In the case of the State of Wisconsin against Jokosh, decided by the supreme court of Wisconsin and reported in 193 Northwestern Reporter, 976, it was held that liquor seized under such conditions could not be used in evidence.

A federal prohibition agent testified: "When he (the accused) reached for his right rear pocket I grabbed him by the left arm, and Agent Currie by the right, and the bottle as I turned him round, you could see what he was grabbing for—the bottle stuck out of his rear pocket. All I did was to pull it out." The opinion by Chief Justice Vinje, after defining an unreasonable search, said:

"The search in question satisfies the call of this definition; that is, it was made without authority of law, no search warrant for the person of the defendent having been issued, and it was made for the purpose of discovering contraband property to be used in the prosecution of a criminal action. * * * But it is claimed that the search was not unreasonable because the officers saw the bottle before they seized the defendant and had good grounds for believing that the bottle contained intoxicating liquors. The trouble with the argument is that it would permit such officers to seize and search every person whom they found in posession of a bottle. The fact that in this case it did contain intoxicating liquor could not legalize the search, if unlawful in the beginning and before the nature of its contents was ascertained. A search must be lawful in its entirety. It is not made lawful by what is ascertained after it is made. * * * It is also said that if searches such as this cannot be made, the prohibition law cannot be enforced. This may be true in part or it may be true in whole. The answer is that an article of the Constitution having its origin in the spirit, if not in the letter, of the Magna Charta, prevents it, and that it is the duty of the court to sustain and enforce the Constitution in its entirety, and not to permit what may seem to be presently a desireable mode of procedure to annul such fundamental portions of our organic law as the freedom from the unlawful searches. The importance of such a provision may be lost sight of in times of peace in a well organized and well administered state, but in times of stress or dissensions its value is as great as those who inserted it in the Constitution conceived it to be."

People who carry flasks of home brew in Kentucky should take care to keep the same out of sight of officers of the law, for, according to a recent determination, one carrying liquor may be arrested and searched without warrant. Officers armed with a warrant to search a house for intoxicating liquor caught a culprit carrying a bottle and on investigation he was found to be carrying five other bottles, filled with whiskey, in fact, according to the opinion of the court, he was a sort of preambulating barroom. In the case of Robertson against the Commonwealth of Kentucky, decided by the Court of Appeals of Kentucky, and reported in 249 Southwestern Reporter, 1010, Chief Justice Sampson said:

"By section 36 of the criminal code, a peace officer may make an arrest without a warrant when a public offense is committed in his presence. Transporting liquor on one's person is a violation of the law—a public offense. When the officers saw the pint of whiskey sticking out of the pocket of appellent they had the authority to arrest him.

* * * Appellent does not deny that he had the whiskey upon his person, but he does strenuously insist that the liquor was not protruding from his pocket, and was not seen by the officer before they arrested him; that

(Continued on page 230)

Information Bureau

Quuestions Answered Free for Officers of Members of League of Iowa Municipalities

I. M.—We have a new and much improved fire fighting equipment and alarm system. How can we proceed to get lower insurance rates?

The fire insurance rates in the state are fixed by what is known as the Insurance Bureau at Des Moines, Iowa. Mr. K. G. Walling is manager of this service and if you will write to Mr. Walling in care of the Iowa Insurance Service Bureau you will get in touch with the right party.

C. H. T.—We have a party here running a feedmill on our main street and he uses as power a large kerosene burner engine and does not have the same muffled and our residents in the dwelling houses adjacent to this property are complaining on the noise. Do you have any way of preventing him from using the engine until he has it properly muffled down? If so, we would be pleased to hear from you.

Almost every town has an ordinance prohibiting loud and unusual noises and the popping of a gasoline engine is unusual noise, and is usually considered as a loud and unusual noise. The chances are that you have an ordinance of this kind and I suggest that you file an information against the party maintaining this engine charging violation of the ordinance.

J. H.—Where a party appeals from valuation or assessment for paving does he lose the right to pay for paving on the installment plan and be compelled to pay the whole in a lump sum.

A person appealing from a paving assessment cannot have the right to pay the same in ten annual payments, because in order to secure this right, he must sign a waiver waiving all claims of irregularity in the paving assessment.

S. V.—Has the town council the right to prohibit a gasoline filling station being erected in a certain block on main street and can an ordinance be made to this effect.

The state law gives cities and towns control over inflamable oils and under this law there is no question in my mind but what you can prohibit gasoline filling stations in certain blocks in your town.

J. J. K.—We have a party here who lives on the end of a street which is not used by any one else but him, now during the recent snow storm this street was so badly drifted that he could not get down town and he shoveled it out himself but at our council meeting yesterday he presented a bill for 30 hours labor shoveling this snow

The council did not think they were justfied in allowing the bill so it was laid over until the next meeting, instructing me to write to you and find out what your opinion is in regard to this matter

The city is under no legal obligations to open up any street and certainly is under no obligation to open any street that is blocked with snow. The town is in no way whatever liable to the man who presented the bill for shoveling himself out after the late snow storm.

E. P. M.—For the past several years we have been oiling our streets, but this is quite expensive, and not very permanent. The council have been graveling the streets this year. Can the town council order the streets gravelled, or pass an ordinance, or resolution having them graveled the same way that they do when they oil? Or do they have to put it to a vote of the town?

You can gravel your streets and assess the cost up to the property the same as paving the streets and procedure for graveling the streets is about the same as that for paving, and it would be necessary to comply with all of the provisions of the law in regard to paying to gravel your streets and tax the cost up to the benefited property. If the council desires to do this. let me know and I will send you full forms and instructions.

L. W. S.—Can the town (by ordinance) impose a tax on dogs in addition to the state law tax. Can the town issue license and license tags or do dog owners apply to county auditor.

A town cannot tax dogs but what amounts to the same thing, a town has the right to license dogs to run at large. If the council passes an ordinance licensing dogs to run at large the town collects the license and furnishes the dog tags.

J. W.—We have an old town hall and some lots that we want to dispose of. I hold that the consent of the voters must be asked for and if so can this be done at the next town election last Monday in March 1924. There must be special ballots prepared and they must be deposited in a separate ballot box. Am I right?

In putting this question up for a vote must the council pass a resolution asking for permission to sell this property and can it be put before the voters without mentioning a sales price.

In regard to your favor of February 11th, will state that I have always held that a city or town had the right to sell property for which it has no use. I had this question up a few years ago and submitted it to a number of attorneys and their opinion seemed to be that the right to own property carried with it the right to dispose of it or sell it. If I am right in this, it would not be necessary to submit to voters a proposition to sell your old town hall and lots for which you have no use.

J. F. L.—In case the city issues a warrant and it is not paid for want of funds. When the treasurer pays said warrant he adds the interest to the warrant, and charges the city for the full amount, with interest. Now, what or how is the proper way for the city clerk to enter this interest on his books.

About the only way the clerk can get the interest paid on warrants entered on his books is to enter above the amount of the warrant, the amount of the interest paid thereon by the treasurer. The treasurer in his monthly reports to the council should report the total amount of interest he had paid on warrant and this could be entered all in one amount by the clerk. It should be entered against the fund on which the warrant is drawn as the interest as well as the amount of the warrant is paid from the fund on which the warrant is drawn. It is not necessary to draw a warrant for this interest because the law provides that the treasurer shall pay the warrant and interest at six per cent from the time the warrant was presented and stamped "not paid for want of funds' until the warrant is paid.

J. V. B.—Understand that it is necessary to publish a financial statement of the town two weeks before election. Is this right? Who publishes the statement, clerk or treasurer? What period does it cover?

There is no law requiring the publication of a financial statement before election. In fact such a statement could not be published, because the fiscal year of a city or town closes April first. The law provides that a financial statement shall be published after the close of the year, covering the entire year. The clerk is supposed to get up this statement and have the same published.

J. W. H.—Can the town council close a hall for entertainments in which the manager will not pay his back license for a series of shows he put on early in the winter. He agreed to pay the license when they were through and we took him at his word now he won't pay and we want to know if we can close the doors until this is paid and how to proceed to do it.

There might be a question as to whether a town could close a hall for the payment of back licenses. A town is not supposed to do a credit business and all ordinances provide that licenses shall be paid in advance. If I were mayor I would not hesitate to close a hall and keep it closed until all licenses are paid, and advise that this action be taken in your case.

V. O.—Will you advise whether a young man who was rejected from military duty during the recent war on account of heart trouble is subject to road poll tax or not. If so, give necessary steps to be exempted.

That fact that a young man was rejected from the military service on account of a weak heart would not exempt him from poll tax. He might have had a weak heart several years ago and his heart be all right now. If he is able to work, or in other words, if he is able bodied he is subject to poll tax. If his heart is so bad that he is unable to do any work, then he might be considered as not able bodied and exempt, but a great many people have a weak heart who work every day and would not be considered not able bodied. In my judgment a man should be unable to do any work or at least very little, before he is exempt from poll tax.

R. D. S.—We have about \$800.00 in the Sewer Bond Fund which was raised by taxation. The bonds and interest being paid in full, leaving said balance, we wish to know if this money can be transferred to the general fund and if so, what procedure is necessary to make said transfer.

According to section 897 of the code of 1897, section 4046 compiled code, any balance in a bond fund after the bonds have been paid goes into the general funds of the town, and in other words in to the general fund. If the bonds are all paid as you say any balance in this fund



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should be transferred to the general fund. best way to do this is to find out just exactly the amount in the bond fund and have the council pass a motion that in view of the fact that there is such a balance in the sewer bond fund, and all bonds and interest have been paid, that the clerk is instructed to draw a warrant on the sewer bond fund for the full amount in favor of the general fund. This warrant should then be deposited to the credit of the general fund.

M. P, J.—The mayor of this town has never received any salary for his services rendered, and the writer with several others contend that he should be entitled to at least some compensation for his time spent for the benefit of the town (which is no small amount if he does his duty in all that is required of him.)

The question has come up as to just what proceedings the council or town has to take in order to authorize a legal compensation for the mayor, and would also like to know what you would consider a fair salary for a town of this

size (about 900.)

In order for the mayor to receive a salary the council must pass an ordinance fixing the mayors salary and until the council does pass an ordinance fixing the salary, he is not entitled to any salary. A salary cannot be fixed for your present mayor as the law provides that the compensation of public officials shall not be increased or diminished during his term of office. The council could pass an ordinance at this time fixing the salary and it would apply after the next election.

J. E. B.—A clerk can be appointed protem from the council, so can the council appoint a mayor to preside over a meeting protem. tion: Can the mayor protem sign warrants?

In the absence of the mayor one of the council is elected chairman protem of that particular council, but he is not elected mayor protem. There is no provision in the law for appointing of the mayor protem but only a temporary presiding officer of a particular council meeting. The councilman elected chairman of the council meeting has none of the powers of the mayor as he still remains a councilman, and he is only the presiding officer of the meeting. The temporary chairman cannot sign the warrants but on the contrary there is no provision in the law requiring the mayor to sign warrants, but there is a provision that the town seal shall be attached to the warrants and the town seal, under the law, is in the custody of the mayor.

It is the duty of the mayor to attach the seal to the warrants and I doubt if any one else has the

right to do so.

F. A. D.—We have a few residents in the town of Wesley who are using old wells for dumping sewage and also partly used as a septic tank. Has the mayor or town council any authority over such residents in asking them to discontinue such practice? We would be pleased to receive any information you may give us on this subject.

The council certainly has the power to prohibit people using old wells for dumping sewage or as septic tanks. You can prohibit all such use and the best way to do this is for the council to meet as a board of health and pass a rule about as as follows:

"Be it ruled by the local board of health of the town of Wesley:

The emptying of sewage or waste, vegetable or animal matter into any well either in a used well or an abandoned well is hereby prohibited."

The state law makes it a misdemeanor to violate any rules of the local board of health and after you pass this rule notify the parties who are violating it to at once stop the same, or if they refuse to do so, file an information against them before the mayor or a justice of the peace for a violation of the rule of the local board. you have a sewer system in your town you can compel all property owners adjacent to the sanitary sewer to connect with the same.

R. W. B.—No doubt you are familiar with the town clerk's register as prepared and sold by Matt Parrot & Co., and which I understand complies with the state auditor's requirements.

Form Nos. 38-2, 38-2A and 38 2B.

Form 38-2 under column 6A- General City Bonds, 6B-Municipal Industry Bonds, 6C-Special assessments, 6D-Temporary Loans, 6E-Private Trust Accounts, are somewhat confusing to me and I am taking the liberty to ask you to kindly define what each of the above include. To be more clear I am not certain in which column to list the bonds and interest paid on our main sewer bonds, sewage disposal bonds, sewer funding bonds, sewer special assessment bonds, water works bonds, electric light bonds and a special drainage tax assessment.

In regard to your inquiry will state that general city bonds are bonds that are a general obligation of the entire city and come within the one and one-quarter per cent debt limitations. It is necessary to know how the bonds are to be paid before making a definite classification.

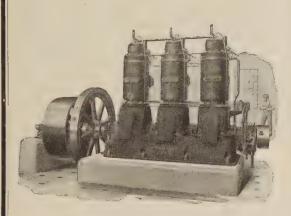
This "Y" Engine Pumped Water for \$2.55 a day While Electricity Cost \$18.10

A City Official of Arlington, Texas, writes:

"In August 1920, this city installed a 75 H. P. Fairbanks-Morse oil engine for pumping water at the city water-works. At the same time an electric installation was made. During the last eight months of 1921 we used the Fairbanks-Morse engine 206 days, and used electricity 39 days.

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your sewer bonds, sewage disposal bonds and sewer fund bonds are any of them all paid by general tax levy and are a general obligation of the city, they should be headed under general city bonds. The sewer special assessment bonds and special drainage tax assessment should be listed under special assessments. Your waterworks bonds and electric light bonds should be listed under the heading of municipal industries bonds.

C. B. K.—As we would like to oil all of our streets and pay the same from the general fund so as to do away with assessing the cost to the abutting property, I would like to ask if this can be brought up at the general election of town officials this spring. I think our levey is over ten mills for the general fund now.

If you have money in the general fund I am inclined to think that you could oil your streets and pay for the same out of the general fund, but if you do not have money in the general fund to do this, you cannot run in debt for this purpose. There is no particular use to bring this up at the election, because you cannot levy more than ten mills in the general fund and it would be for the council to decide as to how this matter would be handled rather than for the people at an election. There is no provision in the law providing for or requiring an election.

I am rather doubtful of the advisability of the oiling of your streets, and try to pay for this out of the general fund, because every city and town usually has use for all the money it has in the general fund, and unless your town is an exception I doubt if you would have enough money in your fund to pay for the general expenses of the town and in addition, the cost of this oiling.

R. E. S.—We have a city park of about ten acres and there has been considerable expense connected with same. One of the park commissioners draws orders on the city treasurer for payment of these bills. What is the proper procedure in this case, should these bills be presented to the city clerk and then taken up with the town council to be acted on before payment or is the manner that has been carried out here according to law. In the way things have been running the council knows nothing about what is being done or what is being paid for the work or whether the work should be done at all or not.

The method of handling the park funds is set out in section 850-b supplement 1915, section 850-b supplement 1913, section 3666 compiled code. This section provides that the board of park commissioners shall organize by electing one

of their members chairman and one secretary and that the town treasurer shall be the treasurer of the board. Money is paid out only on orders signed by the chairman and the secretary, so that the treasurer would not have authority to pay out money on an order signed by the chairman alone, but the order must be signed by both the chairman and the secretary of the board.

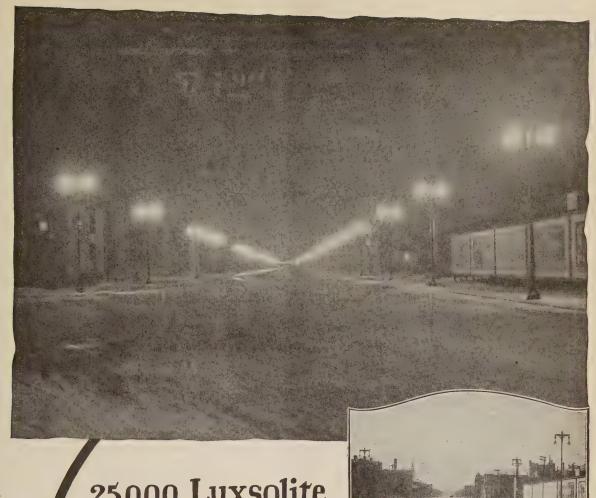
The intent of the law is that the park shall be under the control of the park commission and that the council will have no control over the same. The park commissioners can only spend the amount of money that they receive, but the law seems to make it plain that the council does not have a check on the park commissioners.

H. V. L.—I wish that you kindly inform me if the town council has the authority to order this snow removed from the side walks in the town and if the same is not removed if it can tax the cost of removing the snow to the abutting property owners. We have an ordinance covering this but thought that it might be in conflict with some state statute.

I inclose you a statement in regard to cleaning sidewalks and an ordinance relating to the same. You will see that you have the right to remove the snow without notice to property owner if it has been on the sidewalk for more than twelve hours. The chances are that your ordinance does not conflict with the state law but if you have any doubt, I suggest that you send me a copy of the same.

Two Bottle Opinions (Continued from page 224)

only a small part of the neck and cork in the bottle were visable; and from this he insists that the officers did not and could not have known what the bottle contained; that, so far as the officer could tell it might have been medicine, pluto, or a popgun. To sustain him in this, appellent testified that he had on the same coat at the trial that he wore at the time of his arrest, and taking the bottle which the officers testified they saw protruding from his pocket, he placed it in the same pocket, and demonstrated to the jury that only a part of the neck of a bottle could be seen. While this evidence was entirely relevant, and calculated to have a telling influence upon the minds of the jury, it did not do so in this case, as the verdict plainly shows. jury chose to believe and rely upon the evidence given by the policeman to the effect that they saw the bottle sticking halfway out of appellent's pocket. This was sufficient evidence to sustain the charge in the warrant, if believed by the jury."



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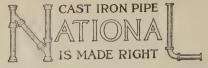
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In many cities and towns the ordinances have not been revised for years and many of them conflict with the state law.

If your ordinances are not in good shape, better have them revised.

Write me for terms.

FRANK G. PIERCE

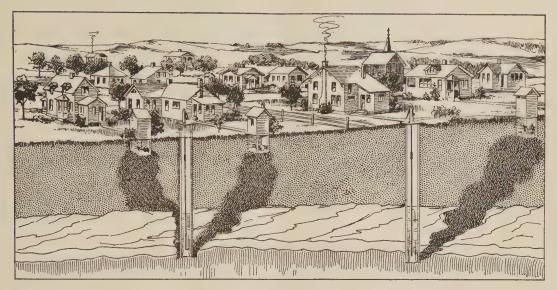
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FOR SALE—Second hand $7\frac{1}{2}$ HP., 110-220 volts, 60 cycle 1 phase 1750 rev, AC Wagner Electric Motor with pulley $5x4\frac{1}{2}x1\frac{2}{10}$ and 220 volt starter; will sell for one half of cost, reason for selling it being too small for our work, if interested write C. T. Tollefson, Town Clerk, St. Ansgar, Iowa.

FOR SALE at a Bargain—About 30 Boulevard post globes, 10 and 12 inch, some frosted and some clear. Are changing style of posts. Right price if you can use all of them. Town of Central City, Iowa, R. D. Minehart, Clerk.

WANTED—Chemical tank 40 or 45 gallon capacity mounted on pull cart, turn over type desired. R. H. Finnell, Whittemore, Iowa.

FOR SALE—City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable documentfiles 13½ in x 4 in x10¾ in. Cupboard: lock doors and drawers 30in. wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

FOR SALE—1 Ingersoll hand air compresser class F R. 1, 10x12 Steam Cylinder 10x10, Air Cylinder. 1 Fairbanks Morse 6 in. belt driven centrifugal pump. 1 Stillwell Heater 100 horse. 1 Cook Pump head size C, cylinder and pipe complete. 500 ft. 3 in. pipe. A quantity of 8in. pipe. City Clerk, Alta, Iowa.

FOR SALE—1 Laudlaw Dunn Gordon compound pump. One million capacity, in good condition. Size stroke 11 x 16 x 10 x 18. C. E. Boblett, Clerk, Perry, Iowa.

FOR SALE—One hundred eighty lineal feet of five inch wrought iron well casing which was taken out of the old well, but in good condition. For sale at twenty-five cents per lineal foot, F. O. B. Ryan. J. E. Cody, Clerk, Ryan, Iowa.

FOR SALE—One two story building located in Fairfield Iowa, built in 1920 out of hollow tile, rents for \$100.00 per month with a five year lease dated April 1st 1922, priced to sell, we need the money. L. F. Frye, Treasurer, West Point, Iowa.

WANTED—A second hand horse drawn street flusher. W. E. Gilchrist, City Clerk, Vinton, Ia. 423

WANTED—Position as manager of a town lighting system. A. V. Landgren, 2437 South 24th Street, Omaha, Nebr. 323

WANTED—An Iron or Copper Chemical Tank of 40 gallon capacity. One of the turn over type, and unmounted. J. Theran Murray, Clerk, Schaller, lowa.

FOR SALE—Second hand air pressure tank, 24 ft. ong, 5 ft. diameter, 5-16 inch iron, ½ inch head, manhole 12x18. Previously used for air pressure only In good condition. Can be used for any purpose. Write for price. Town of Mediapolis, Iowa, J. E. Berry, Clerk.

STEEPLE-JACK — Painting and Cleaning of Watertowers, Standpipes, Smokestacks and Steeples. Prices right. R. W. Cox, Box 673, Mason City, Iowa.

WANTED—A good used 25 to 50 HP fuel engine, O. F. Mangold, Councilman, Brighton, Iowa. 224

WANTED—A second hand Electric Siren. State price in first letter, W. S. Shaffer, Town Clerk, Colesburg, Iowa. 224

WANTED—A fire alarm or an Electric Siren. Ben Haselhuln, Town Clerk, Melcher, Iowa. 224

FOR SALE—One 8x10 belt driven plunger pump, in good condition, also one 8x10 geared plunger pump, in good condition and, one Goulds centrifical pump. Address inquiry to A. J. Bryant, City Clerk, Sigourney, Iowa. 224

FOR SALE—Two deep well pumps, one 20 h. p. gas engine, 20 h. p. A. C. motor, and other pumping equipment. Write Verlin L. Sweeley, town clerk, Adel, Iowa.

FOR SALE—Cheap. Myers Bulldoser Pump Jack, working head from 14 to 20 inch stroke; 2–40 inch Belt Pulleys 6 inch face; good as new. If interested, write to Geo. Harder, Clerk, Keystone, Iowa. 93

WANTED—To communicate with city or town who has or intends to install new cells—and will have the old ones for sale, state all in first letter. C. F. Fitzgerald Town Clerk, Alvord, Iowa,

WANTED—Fire Bell or alarm— preferably second hand. Book Safe—Fire-proof not less than 18" deep and 48" high —inside measurement,— Preferably second hand. Watchmans time Clock— with at least four keys. E. S. Genung, Clerk, McCallsburg Ia.

FOR SALE—Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, Iowa.

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, lowa.

FOR SALE—By the city of Ottumwa, Iowa, one 20-40 HP J. I. Case Gas Tractor, one 8' Aurora Reversible Grader Engine Hitch, one, Russell's Scarifier, fair conditton, one Aurora Rock Crusher, No. 1 size. Price on application. Address M. A. Sheehan, city clerk, Ottumwa, Iowa.

FOR SALE—One 50 horse power motor Wagner make, two phase variable speed, 600 R. H. M. and one 20 horse power of same make and type, prices \$450, and \$300, both motors in first class condition. If interested write at once to city clerk, Independence Iowa.

FOR SALE—One 75 h. p. Murray Corless Engine purchased new by us in 1910, One 125 h. p. Murray Corliss Engine purchased new by us in 1915. Neither of them have been used since Dec, 1920. Reason for selling, put in high line service. Address Town Clerk, Earlham, Iowa.

WANTED—If you have any apparatus or equipment that you do not need advertise it for sale in this classified department and give some other city or town a bargain.

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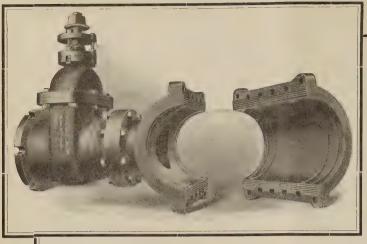
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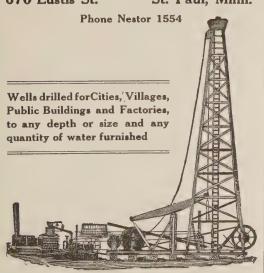
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Over 60 Iowa Cities and Towns use our Road Oils exclusively We also operate a number of our own equipments, applying these materials for those customers

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Prices are now cheaper than they have been for years. The entire cost is only a few cents per
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Pronounced "Vī.bro'-lith-ic"

Booklet V-1 describes Vibrolithic more fully. We will be glad to send it on request.

Tax-payers today judge pavement almost solely by the riding qualities and appearance of the surface. If it is free from waves, bumps and cracks, they are pleased.

The Vibrolithic method of constructing concrete pavements produces a smooth, neat riding surface which is also skid-proof. Hard stone vibrated into the wearing surface prevents the development of waves and bumps, and provides maximum resistance to wear. The dense concrete resulting from vibration practically eliminates cracking.

BUT, in addition to having a good riding surface, Vibrolithic pavements are durable and structurally sound. possess maximum density which assures adequate beam strength These Vibrolithic qualities insure:

- (1) High load carrying capacity.
- (2) High resistance to heaving and frost action.
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THE INSIDE STORY IOWA POSTER ADVERTISING

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Lorado Taft, internationally known sculptor, in an interview with Miss Lilias S. Bill, believes Poster Advertising encourages development of artists and that the Poster Advertising Association is working for the betterment of Poster Art. He says that the work the Association members do in cleaning and beautifying cities cannot help but make for better citizenship, while the posters themselves may be an influence in furthering art appreciation, and in developing civic taste.

There are hundreds of talented boys and girls in Iowa who in a few years, through the medium of Poster Art, may find expression for their talent.

Poster Panels, exhibiting examples of Poster Art by such artists as Underwood, Coles Phillips, Parrish, and Nevsa McMein are an inspiration and a source of study to art students in the Iowa schools.

The encouragement and development of Poster Art means the encouragement and development of an honorable, noble and remunerative profession for Iowa boys and girls. It also means a higher art appreciation among the people of Iowa—Art for Life's sake.

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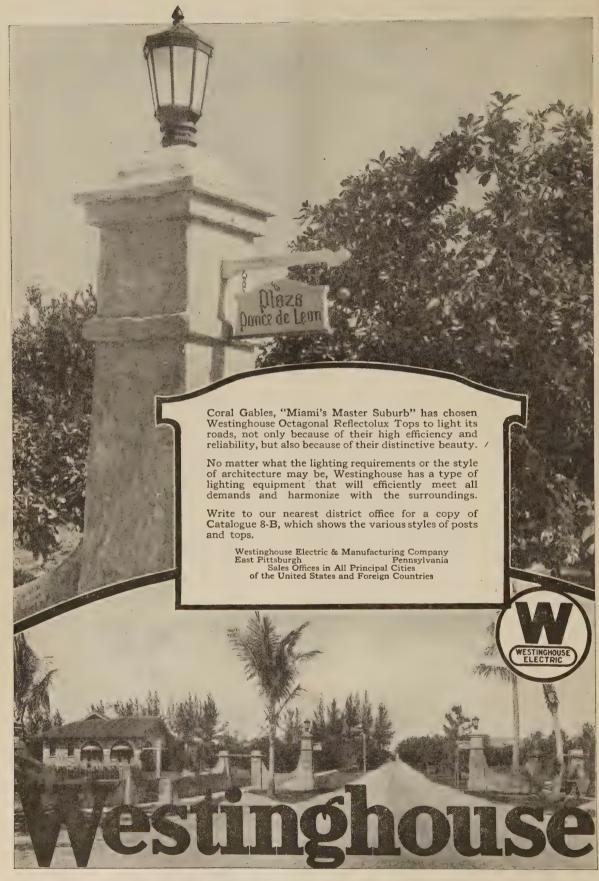
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Approved by the Underwriters' Laboratory of the National Board of Fire Underwriters.

> Approval dated October 11, 1918

The first few minutes of a fire often decides whether it is to be a small affair, quickly extinguished or a disastrious conflagration.

A touch of the button from your central station or fire box and the *Federal Electric Siren* shrieks its alarming call. Day or night it is heard and recognized for miles, getting your firemen on the scene without the loss of a minute. No chance to confuse it with other whistles.

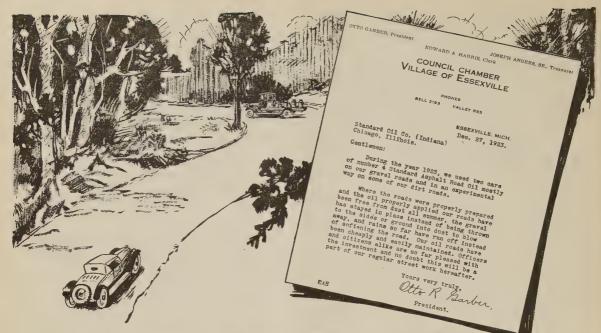
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The **Federal** is absolutely dependable and built to last a lifetime. An average of \$2.00 per year for current is the only operating expense. Needs no attention except oiling at long intervals. Always ready. Mail coupon today.

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8700 South State Street, Chicago, Ill.

Please send full information and prices on a FEDERAL ELECTRIC SIREN for our town.



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CAN you think of any better reason why you should use Standard Asphalt Road Oil than those set forth in the above letter?

When the Village of Essexville, Michigan, needed improved roads it set out to get them. They did not have much money to spend for this purpose nor did they need much. The village officials found that when roads were properly prepared and the proper grade of Standard Asphalt Road Oil was properly applied, they secured roads which were impervious to moisture, dust-proof, and capable of withstanding the heaviest traffic.

You, too, can have good roads at comparatively low cost by using the right grade of Standard Asphalt Road Oil, in the right way and at the right time. Your gravel and dirt roads can be improved and maintained cheaply and easily by this method.

After proper application of the right grade of Standard Asphalt Road Oil for four or five years, your roads will be in condition to be used as a base for a higher type of asphalt pavement. Thus, money properly spent this year for the improvement of your roads is an investment which will return good dividends in the future.

Our Road Engineers are at your service to study, advise and recommend the proper treatment for your roads. To help you further, they have prepared two booklets which treat the problems of road making with asphalt and road oil in a simple non-technical manner. One is called Stanolind Paving Asphalt and the other Standard Asphalt Road Oil. Either or both will be sent to you free on request.

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American Municipalities

April, 1924

Vol. 47, No. 1

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, \$1.00 per year Advertising rates made known on application

> "For forms of government let fools contest, What'er is best administered is best."

Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of Iowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of Iowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

As soon as all heads of departments are named the clerks should send in a corrected list of their officials in order that the new officials may receive American Municipalities.

Membership in the League of Iowa Municipalities carries with it free copies of the official publication for each official and head of a department

If the Secretary does not receive the corrected list there is no way in which the names of those entitled to receive American Municipalities can be placed on the mailing list.

Send in correct and complete list.

The legislature will adjourn about the middle of April and then the Secretary will be able to answer letters a little better than he has in the past four months.

The legislative work is the most important work the League has to do and the Secretary has been in Des Moines most of the time since the first of December.

As soon as the legislature adjourns the other work of the League will be given better attention.

If you have not adopted the National Standard Hose Coupling you should make arrangements to do so at once.

If you are interested you should take the matter up direct with the Insurance Service Bureau at Des Moines.

The statement in regard to the Ames Municipal lighting plant in this issue should be carefully read by every municipal official.

If your plant has made a good record write out a statement of its operations and send it in for publication.

If you have accomplished some exceptional work during the past year send in a paper telling about it so that other officials may know what you are doing.

Just a few of the members of the League have not as yet sent in their dues for the current year.

The work of the League during the meeting of the legislature is worth many times the annual dues to every city and town in the state. In addition to this the Information Bureau saves many of our members several times the annual dues each year.

If you do not make use of the Information Bureau you are not receiving the full benefits of your league membership.

MUNICIPAL BONDS IN FEBRUARY

State and municipal borrowings through the issuance of tax-exempt bonds almost reached the one hundred million dollar mark in February and for the first two months of the year, total of such bond issues is about equal to last year's financing. According to The Daily Bond Buyer of New York, last month's total exceeds that of any previous February on record.

Since the first of the year, the municipal bond market has remained firm in spite of the probability of tax reduction legislation which would impair slightly the value of income tax-exemption attaching to State and municipal bonds. Municipal bond dealers look for a reduction in the output of new bonds during the next few months.

The following table compiled by the Daily Bond buyer of New York, shows sales of long term State and municipal bonds in February and the two months ended February 28th for ten years:

	Two months
	ending
February	February 29
1924	\$176,810,616
1923 78,429,068	177,244,583
1922 89,493,482	166,781,551
1921 73,363,870	147,545,026
1920 39,857,933	126,505,064
1919 21,004,352	45,840,200
1918 23,386,739	41,737,795
1917 24,987,302	64,332,942
1916 35,915,303	87,326,120
1915 39,610,087	70,976,965

Cincinnati has an occupational tax—Deputy Auditor Lamott reports that last year \$509,924.90 was collected from 22,000 individuals.

San Francisco is going into the municipal baking business. It will bake all the bread needed in its municipal institutions.

FAMOUS HIGHWAYS OF THE WORLD

It is of interest to motorists to know that the highest thoroughfare in the world is Main Street, Denver; the widest is Market Street, Philadelphia; the narrowest street is Via Sol, Havana, Cuba, which was a width of 47 inches; the shortest is the Rue Ble, in Paris. The dirtiest is that of Tchangski, Nankin, China; the cleanest is the Via Castle, in Seville, Spain; the richest is Fifth Avenue, New York City; the most aristocratic is Grosvenor Place, in London; the most beautiful is the Avenue des Champs Elysees, Paris; and the oldest is the Appian Way, built by Julius Caesar in the days of the Romans, and is still in use and good repaair—Exchange.

NEW PUBLICATION ON PUBLIC HIGHWAY LIGHTING

The problem of lighting the public highways, one of the most recent developments in the field of illumination, is discussed in attractive 4 page, 2 color folder, "Light On the Highway" published by the Westinghouse Electric and Manufacturing Company. This folder, known as D. M. F. 4809, set forth fully and concisely the various aspects of the question of properly illuminating the highway. A few well chosen photographs and drawings complete the information contained.

NEW REFRACTOR FOR STREET LIGHTING

A new refractor, known as the Bi-Lux Refractor, that will increase the effective illumination from street lighting units approximately 70 percent as compared with the most efficient units now in service has been developed by the Westinghouse Electric & Manufacturing Company in co-operation with the Holophane Glass Company. Tests made by the Electrical Testing Laboratories of New York show that a 400 cp. lamp within the remactor enclosed within a Westinghouse clear rectilinear glass globe will deliver 2000 cp. up and down the street, 425 op. across the roadway at right angles to the curb line, and 250 cp. across the sidewalk. As a result of this method of "spraying" the light, the street is evenly illuminated over its entire surface and there is no glare in the eyes of motorists or pedestrians.

Good Showing for Ames

Manager of Engineering P, F. Hopkins, Makes Annual Report.

We are nearing the close of the fourth year of the present form of government in Ames. Inasmuch as the mayor and two members of the present council which inaugurated this form of government, it is not inappropriate that there should be at this time a summing up of this four-year period. Many times a careful study of what has past will help in planning for the future, will reveal something unfinished, will show causes and effects which were not apparent at the time, and may aid in formulating future policies

This period has been one of steady, healthy growth of the city and of corresponding expansion of various city departments. The reaction following the general business depression in 1920, began in the summer of 1921 and has continued since. About 500 homes have been built, or an increase of over 30% in four years. The number of residences inside the corporate limits Jan. 1, 1924 was about 1900. This does not include any business houses nor several of the large apartment houses. This growth is not in any sense a boom, but is a decidedly healthy development and is not much different in character from the similar period from 1913 to 1917, immediately preceding the war. If, however, the present cost of construction were in any way comparable to the pre-war period, there is little doubt that the building program would be doubled. Should any material decrease in construction costs occur, the resultant expansion would call for immediate extensions of city utilities, so that in the operation of the various city departments these possible demands should be recognized and provided for. It is proper and right that city functions should keep in advance of demand. In fact, they must not withold service simply because the present business will not show a satisfactory return if the probability of future growth in the locality exists. That is one of the justifications of municipal ownership, that it can help in development that private capital would not or could not do.

I will attempt, therefore, to sum up briefly the progress and condition of the several divisions of the engineering department, and indicate what in my judgment the probable future demands will be.

ELECTRIC DEPARTMENT

April 1, 1920, the electric department had a physical valuation, including material on hand, of \$193,000; a floating debt of \$25,000 and a credit of \$15,000 for street lighting and water pumping. The actual valuation of the plant and system, then, was \$183,000. The steam plant was under capacity and the distribution system needed much rebuilding and extension. In view of the high cost of coal, materials and labor, the electric rates then in force would not bring in sufficient revenue to make the improvements which were evidently needed. The rates were raised as recommended and altho several very large unforseen expenditures have been required, the department has accomplished the necessary improvements and can be truthfully said to be now in the best physical and financial condition of its history. It is not necessary to enumerate the items of improvements made as the council is familiar with the program of the past two years. The total investment in new additions from April 1, 1920, to February 1, 1924, was \$118,-000.

For comparison, the value of the department, in round numbers, as of April 1, 1924, will be:

Present valuation	8265,000
Cash · · · · · · · · · · · · · · · · · · ·	30,000
Bills receivable	18,000
Total value	313.000
Value April 1, 1920	183,000
Increased valuation in 4 years	130.000

The program for the development of the plant, as adopted two years ago and which will be necessary to have a safe plant capacity is as follows: The estimates are approximate only, but will serve to show what must be provided.

1. 1924—Additional spray pond area.

\$7,000.

1915—Generating unit. Should 2. bought within next few months to be available for 1915-26 peak; payment to come in 1925, \$40,000. In connection with the proposed unit, you will recall that we now have two units of 500 and 600 kw. capacity; each of which will generate about 750 kw. As our 1923 peak was slightly undet 10000 kw, it is evident that if one machine were out, we could not handle the peak load. If a 1250 kw. unit be bought, it will not be efficient at small loads, and therefore could only be run over the winter peak. As the safe capacity of the plant would be that of any two machines, the capacity of the present machines would determine the time of replacing one of them by another large unit.

In other words, the large investment in the big unit would not be a working investment for some years, and would not postpone by a single day the installation of a second large unit.

If a highly efficient, small unit, say 750 kw. be bought, the first cost will be less, it can be run 24 hours per day, leaving the present units as standbys, and will bring immediate returns on the investment. When the capacity of the two old machines is reached, say in 1927, the load will have reached a sufficient size to justify a larger machine. The 500 kw. machine will then be 14 years old and will about have served its usefulness.

- 3. 1926—Additional boilers, \$20,000.
- 4. Coal and ash handling equipment, \$20.000. This item is only a guess as the most desirable method of handling the coal and ashes has not been determined. It is doubtful if the saving will justify the cost of the equipment, but the general betterment of labor conditions and appearance of the plant would justify it. If possible this instalation should be made in 1925.

This program involves the outlay of between \$80,000 and \$90,000 within the next three years, and can be financed as needed from plant earnings unless some unforeseen condition arises.

We are now beginning to store coal against a possible coal strike April 1. The coal strike of 1922 cost us \$10,000 altho 90 days coal was stored before the strike. It must be remembered that we are compelled to store eastern coal because Iowa coal will fire, and the excessive freight rate on the eastern coal makes it consider-

ably more expensive as a fuel than our Iowa coal. However, regardless of cost, we must store coal, and if there should not be a strike, we will have a considerable loss anyway due to difference in cost of storage coal and the extra handling.

Due to the very nature of electricity, its method of distribution, and almost universal application, it is inevitable that emergencies will arise which cannot be forseen, and which may involve considerable expense.

To provide a fund for such, or for any emergency. I recommend that \$10,000 be now invested in Liberty bonds or similar securities, and that each year as much as can be spared, say \$5,000, be so invested until a reasonable fund is created.

I am sure that the council will agree that a municipally owned utility should give the public as cheap a rate for service as is consistent with good business. It is not the function of such a utility to pile up a large surplus and it cannot pay dividends to its owners. Therefore, it should pay the equivalent of such dividends in such a rate as is economically practical. As shown by the statement as of April 1, 1924, the physical and financial conditions of the department are good. It is also evident that a great deal of money must be provided by 1927. If the matter of rates were not entirely within the the council, I would hesitate to make any considerable reduction at this time. But since the council can control the rates and can make them follow the variations in production costs, I submit the following proposed schedule for your consideration. I appreciate fully that it is easier to lower than to raise rates, and that the plant will always have to finance its improvements from its earnings. No one knows better than the men who have tried to operate our plant during the years when its capacity was not sufficient that such operating conditions are not conducive to good service. They also know that the public is not concerned with those conditions only as they affect service. The customer who protests the loudest against an interruption in service would also be the loudest protestant against increased rates or a bond issue to better that service. However, all of these things have been taken into consideration before proposing the new rate. I believe the plant can operate

under the new schedule. If it cannot, the council always holds the remedy.

The suggested new schedule is as follows: New rate Lights Old rate 1st 20 kw. hrs. 11c per kw. hr. 13c Next 80 '' 9c per kw. hr. 13c Next 100 '' 9c Over 200 5c 6½c New rate Power Old rate 1st 100 kw. hrs. 6c per kw. hr. 7c 2nd 100 60 Next 800 ,, 4c 5c Over 1000 31/2 4c Cooking rate—1st 100 kw. hrs.—5c Over 100 kw. hrs.—4c

All less 10% discount and subject to same regulation as are now in force.

To assist you in comparison and to show that the proposed rate is really a low rate as compared to cities of greater size than Ames, the following table is shown. The rates for the Iowa cities shown are taken from a bulletin issued by the engineering extension department of the college as in effect January 1923. The rates are net rates for 500 kw. hrs. reduced to the same turning point as the Ames schedules.

NET RATES FOR DOMESTIC LIGHTING

City	Pop 1920	20 kwh	100 kwh	200 kwh	500 kwh
Boone	.12451	\$2.43	\$9.27	\$16.92	\$37.62
Burlington		1.80	9.00	19.78	39,92
Clinton		1.95	9.76	17.86	37.30
Charles City	7350	2.66	10.26	18 24	35.72
Creston	. 8034	2.70	8,80	17.80	44.80
Iowa City	11267	2.60	9.70	16.70	37.70
Marshalltown	15731	1.60	8.00	16.00	40 00
Oelwein	.7455	2,30	10.40	17.30	38,00
Oskaloosa	9427	2.70	13.50	21.60	38.70
Ottumwa	23003	1.80	9.45	17.95	34.95
Sioux City	71227	1.80	9.00	16.00	31.00
Waterloo	36230	2.20	9.00	14.00	29.00
Average	20865	2.21	9.68	17.35	37.06
Ames	6270				
Present Rate		2,34	10.26	18,36	35.91
Proposed Rate		1.98	8.46	14.76	28.26
% Reduction		15.4%	17.5%	19.6%	21.3%

The proposed rate will result in a saving to electrical consumers of about \$30,000 on the next year's business, or the equivalent of a 25 mill reduction in tax levies.

If the council desires to leave the present rates in force and divert the additional earnings to finance the proposed water extensions, no bond issue would be required, and the total amount required could be obtained in two years.

WATER DEPARTMENT

The financial condition of the water department April 1, 1920, was as follows:

Plant and system valuation \$	106,000
Cash	3,000
Total	109,000
Pumping bill unpaid	11.000
Actual valuation	98,000
Outstanding bonds	42,000

Like many other water departments in small cities, our water department was finding it impossible to finance extensions, maintenance, etc., from its earnings, because of the enormous cost of iron pipe. Demands for water mains on numerous streets were insistent and could not be avoided.

The rates were not changed, but a 25c charge was placed on each meter and a levy of five mills made to pay for water bought from Iowa State college for the fourth ward. Since that time about \$63,000 has been invested in new mains, meters, hydrants, valves, etc.

The valuation of the department as of April 1, 1924, less depreciation will be:

Plant and system valuation	\$154,000
Cash on hand (est)	11,000
Actual valuation	165,000
Increase in actual valuation in 4 years.	67,000
Outstanding bonds	35,000
Decrease in bonds	7,000

The needs of this department have been so thoroughly set before the public within the past year that it seems hardly necessary to go into detail here. The investment required for new mains absorbs the earnings so that to make the improvements outlined a year ago, the bond issue will be required.

It is true that we have contracted for the well which was included in the proposed program, and regardless of the result of another bond election, the well will be constructed. The total cost of this well, pumping equipment, connecting mains and building will be approximately \$10,000 which will be paid for from department funds. If this money is not replaced, it will simply mean the curtailment of needed extensions by that amount. It would seem that inasmuch as the proposed bond issue does not

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Standard Paving Specifications

By Guy J. Tomlinson, of the Sioux City Bar.

The writer is in hearty accord with the suggestion of Prof. T. R. Agg, made in his article in the March number "American Municipalities," that standard specifications be prepared.

In handling the legal work in connection with a larger number of paving projects in various communities in Iowa, I have been impressed with the disadvantages arising from the use of a different set of specifications for each contract, as it required a careful check of these from a legal standpoint before their approval. Also, it is disadvantageous when an attempt is made to compare prices bid on different jobs, as no intelligent comparison can be made unless the several specifications are carefully examined.

Such specifications should, as to each type of pavement, be prepared in at least three classes:

- 1. For principal city streets and those carrying extremely heavy traffic.
- 2. For business streets of a smaller community not likely to carry extremely heavy traffic and also suitable for residence streets in cities.
- 3. For strictly residential streets which in the nature of things will not be required to carry more than moderate loads and traffic.

Some of the advantages of using standard specifications would be:

- 1. Such specifications will be prepared only by engineers of large experience, and will be much more carefully worked out than can be done by the average engineer working alone, who cannot devote a large amount of time thereto.
- 2. By reason of such care, every detail can be made absolutely definite, and every bidder will know exactly what will be required of him, thus eliminating the so-called "open specifications," under which it is a gamble as to what will be the requirements.
- 3. This will remove any element of uncertainty on the part of the bidder as to what will be required of him, and this will be reflected by lower bids.

- 4. With these in general use, contractors will be familiar with all the standard provisions and not have to spend as much time studying the requirements as they now perforce must do. The present system has at times prevented a contractor from bidding on a particular job by reason of lack of time to sufficiently analyze the requirements, or made his bid higher, because he was unable to determine just what might be required.
- 1. Some litigation is absolutely certain to attend the doing of this kind of work, and after the supreme court has construed the standard specifications in a few cases, all concerned will know the judicial construction placed upon the language used.

In the nature of things many communities have some peculiar conditions for which special provision must be made, but by providing by the addition of special paragraphs covering such conditions in blank space left therefor, these can be properly met.

In addition to the matters mentioned by Prof. Agg, I would suggest further:

- 1. That standard forms of proposal, contract, construction bond and maintenance bond be prepared by a commission of lawyers having large experience in this line of work.
- 2. After their preparation by the engineers the specifications should then be submitted to such commission of lawyers that they may examine the same carefully and perhaps suggest some changes in phraseology or substance, so they may be so far as possible consistent and legal as a whole.
- 3. That this be done especially as to the general provisions. I have found it very advantageous to prepare or revise such general provisions in every case, as experience in like matters suggests many things which should be covered in order to make the contract provide specifically as to many matters which come up incidentally.

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Supreme Court on Areaways

Control By Council over Streets Extends to Areaways

This is an action in equity to permanently enjoin appellee from causing an areaway occupying a portion of a public street in said city, and used in connection with a large six-story bank and office building, to be closed. The basement of said building is occupied as a barber shop, and the areaway provides the only means of public access thereto. The areaway, which is 4 feet 1 inch in width, including a railing on the outside thereof, and 25 feet 5 inches in length, was constructed in 1905 with the permission of the city council, granted upon the petition of appellant, under authority conferred by the ordinances of said city. At the time permission was granted appellent to construct said areaway in the street, the bank and office building was in process of construction. The ordinances then in force in said city authorized the city council to grant permission to property owners to erect areaways, and stairways, but provided that-

"The privilege to erect and use areas or stairways shall be limited to any terms of years the council deem best, and the right to remove such area or stairway, at the expense of the individuals erecting them, shall be reserved to the city, at the expiration for which such privilege was granted, and, if no time is fixed, then by giving six months notice."

Upon the filing of appellents petition, a committee of the council was duly appointed, and on March 17 reported, recommending that the petition be granted, subject to the right of appellee to revoke said permission and to cause the opening to be closed upon first giving six months notice to appellant of the city's intention to revoke the permission granted and to close the opening of the street. The recommendation of the council was approved.

On the 26th day of June, 1922, the city council passed a resolution ordering the areaway removed, and the opening closed, and providing for a six months notice to appellant, which was duly given. On April 13, 1923, a further resolution was adopted by the city council, giving appellent 10 days notice in which to comply

with the prior notice. Appellent failing to com ply therewith, on April 22d the council ordered the opening closed and the same to be covered with concrete, the work to be done under the direction and supervision of the city engineer. This action was commenced December 22, 1922 and on the same day a temporary writ was issued, which upon final hearing, was dissolved.

The legislature of this state has confided the control and supervision of all streets of cities and towns to the councils thereof and made it their duty to maintain the same free from nuisances and obstructions. Sections 751, 753, 792, code 1897; Quinn v. Baage, 138 Iowa, 426, 114 N. W. 205; Perry v. Castner, 124 Iowa, 386, 100 N. W. 84, 66, L. R. A. 160, 2 Ann. Cas. 363; Lacy v. City of Oskaloosa, 143 Iowa, 704, 121 N. W. 542, 31 L. R. A. (N. S.) 853; Kemp v, City of Des Moines, 125 Iowa, 640. 101 N. W. 474; Emerson v. Babcock, 66 Iowa 257, 23 N. W. 656, 55 Am. Rep 273; Callahan v. City, 170 Iowa, 719, 153 N. W. 188, L. A. R. 1916 B, 927; Central Life Assur. Soc. v. City of Des Moines, 185 Iowa, 573, 171 N. W. 31; Davis v. City of Clinton, 50 585. The power thus conferred extends to areaways and other obstructions upon the streets. Callahan v. City, supra; Central Life Assur. Sec. v. City of Des Moines, supra; Bennet v. Mt. Vernon, 124 Iowa, 537, 100 N. W. 349: Emerson v. Babcock, supra. Permission granted to the owner of private property to use a portion of the street for an areaway may be revoked at any time in the sound discretion of the council. Callahan v. City. supra; Young v. Rothrock, 121 Iowa, 588, 96 N. W. 1105; Perry v. Castner, supra; Emerson v. Babcock, supra; Lacy v. City of Oskaloosa, supra; City of Cedar Rapids v. Young, 119 Iowa, 552, 93 N. W. 567.

The fee title to the streets is in the incorporated town or city, and no private person has a vested or inherent right to obstruct the same in the conduct of his private business. The right to the use of the streets is given alike to all citi-

zens, and includes the full width and length thereof. Quinn v. Baage, supra.

The opening in the sidewalk adjoining appellants building, as stated above, occupies a space 4 feet 1 inch in width and 25 feet in length. Appellant's building abuts upon Main and Market streets, which, the evidence shows is one of the busiest and most congested corners in said city. The railing has been used as a roosting place for loafers and the sidewalk for idlers who congregate in front of the railing to engage in conversation with the occupants thereof. It is claimed that this has been minimized by the insertion of bolts in the top of the railing. The effect of devices of this character is more pronounced theoretically than practically.

The city council in its resolution ordering the opening closed declared that it had become a public nuisance and a menace to public safety. The areaway was constructed in accordance with the permission of the city council, subject to the right of the city declared at the time to revoke it and to require its removal.

The law applicable to this controversy is too well-settled to in this state to justify extended discussion. The principle reliance of appellant for reversal is upon his contention that the ordinance in force in 1905 and a new ordinance which superceded it in 1922 are both violative of article 1, section 5 of the constitution of the state of Iowa, which provides that all laws of a general nature shall have a uniform operation. Evidence was introduced to prove that the city council acted arbitrarily when it ordered appellant to remove the areaway and close the opening, and that descriminations in favor of the owners of other buildings similarly situated and used is shown by the neglect and failure of the officers to order areaways used in connection therewith to be removed. Of course, such action of the city council, if shown, would be intoerable. The weight of the evidence, however, tends to show that many areaways have already been closed in the business district, and that the city council is proceeding cautiously in the matter, but requiring each owner to remove the obstruction whenever the public exigencies demand the space occupied thereby. The ordinance is not in its terms discriminatory, but provides for, and contemplates, uniformity of operation. Pacific Junction v. Dyer, 64 Iowa, 38.

19 N. W. 962; City of Marshalltown v. Blum, 58 Iowa, 184, 12 N. W. 266, 43 Am. Rep. 116; Geebrick v. State of 5 Iowa, 491, together with a large number of cases cited by appellant, in which constitutional questions are discussed, do not sustain his contention that the ordinance is unconstitutional. The great increase in the use of automobiles and other motor vehicles upon the streets of cities and towns since appellant's building was constructed has greatly restricted the use thereof by pedesterians, and travel upon the sidewalks has become much more congested than formally. We have not overlooked the fact that appellent cannot at this time, nor until the expiration of a banking lease which will occur in about two years, provide access to his basement, and that he will be deprived of the rental therefor during that time. The areaway was constructed as a part of a new building, with notice to appellant that the permission granted to use a portion of the street for an areaway was subject to revocation by the city council upon six months notice. He cannot complain. Some claim is also made by appellant that his grantor had obtained a perscriptive right to maintain an areaway at the place in question before the building was erected. areaway used in connection with the old building was much narrower than the one in controversy. and in any event, the city reserved the right at the time the areaway was constructed, with the permission of its council, to close it upon six months notice. Appellant is bound by the action then taken, which was upon his own initiation. We find no reversable error in the record.

A scrappy old party emerged triumphant from a piffling case in a squire's court. The man who had lost was mighty sore, and when the bunch started to leave the court room he shook his fist under the old fellows nose and snarled: "I'll law you to the circuit court."

"Do it" replied the gratified winner; "go ahead n' do it. I'll be thar!"

"And I'll law you to the supreme court," shouted the incensed loser. "All right" said the old chap; "I'll be thar!"

"An' if I dont git you in the supreme court I'll law you to hell." The old boy came right back. "Do it," he retorted; "my attorney'll be thar!"

National Standard Hose Threads

Every City and Town in Iowa Should have Standard Couplings

Standardization of threads on fire hose couplings and hydrant outlets is a national movement, sponsored by Fire Chiefs, Associations, Insurance Organizations, the National Chamber of Commerce, the United States Bureau of Standards and other bodies connected with the prevention of fire and other economic waste. Special tools have been made with which the majority of existing threads can easily and cheaply be changed to the thread which has been officially designated the National Standard Thread for Fire Hose Couplings. The dimentions are 3-1/16 inches diameter over the male thread and 7½ threads to the inch.

The chief purpose is to obtain universally interchangeable hose in event of a large conflagration when help from neighboring cities is needed. Other advantages of recutting threads are that all threads are cleaned and poor fitting threads made smooth; when new hose is ordered it is not necessary to send a sample coupling and exactly the same thread will be shipped on every order.

The tools are owned by the Iowa Insurance Service Bureau of Des Moines. They are loaned to any community without charge and a man is sent to instruct local workmen how they are used. The town is required to pay express charges and have the work done, also to defray any loss of tools or damage while in town. The cost to the town will average about \$.07 for each coupling changed. The Iowa Insurance Service Bureau will be glad to furnish any information, to measure threads and to loan the tools and supervise the work without any obligation to the community except as mentioned above. Address inquries to Mr. K. L. Walling, Publisher, Iowa Insurance Service Bureau, 712 Securities Building Des Moines Iowa.

Two sets of these tools have been in service in Iowa since January, 1921. The threads in the following towns and cities have been recut to the National Standard Thread since that time. Approximately 50 other towns have always used this thread.

time timetta.		
Ackley	Fairfield	Osceola
Algona		Oskaloosa
Alta	Galva	Ottumwa
Aurelia	Garner	
	Gladbrook	Paulina
Battle Creek	Glenwood	Pella
Bedford	Goldfield	Prairie City
Belle Plaine		
Bloomfield	Hampton	Rock Rapids
Britt	Holstein	Roland
	Hubbard	
	Humbolt	Schaller
Chariton		Shell Rock
Chelsea	Ida Grove	Sidney
Cherokee	Iowa City	Spencer
Clarion	Jefferson	Spirit Lake
Clarksville	Kanawha	Storm Lake
Colfax	Keystone	Story City
Conrad		Sutherland
Corning	La Porte City	
Cresco	Laurens	Tabor
		Tama
Decorah	Malvern	Tiptou
Dows	Marengo	Traer
Dyersville	Marshalltown	
Dubuque	Mechanicsville	Union
Eagle Grove	Milford	
Early	Montezuma	Villisca
Elberon	Mt. Pleasant	Vinton
Eldora		
Emmettsburg	Newell	Wall Lake
Estherville	New Hampton	Washington
	New Sharon	Waterloo
	Newton	Waverly
		Winterset
		Webster City

If you have standard hose couplings and the name of your city is not in the above list send the information to the League of Iowa Municipalities in order that we may have a complete list of cities and towns with standard couplings.

System In Assessing

By Alexander MacKeigan, in Los Angeles Municipal League Bulletin

Los Angeles County has, under County Assesor Hopkins, a real assessing department. The hit or miss element is entirely eliminated.

As proof of the excellence of our system we state the following as a fact:

The so-called "Master Assessor" of the State of Oklahoma, whose duty it is to assist the various county assessors of his state and to see that uniform methods of assessing are used, was recently commissioned to visit every state in the union, if necessary, for the purpose of obtaining the best assessing system to be found. When he arrived in Los Angeles a few months ago he had visited about twenty-five states but after a day and a half's study of the methods in use here he abandoned further search and is now installing in the counties of his home state the methods used by Los Angeles County.

Now this is how our model system came about: Prior to 1916 assessing real estate in Los Angeles was rather a hit or miss affair. This guessing contest, as you might term it, applied more especially to the assessment of buildings, altho even the assessment of land was made with practically no attention paid to equalization.

As an example, the city assessor placed the same valuation per front foot (\$5,600) on all three blocks on the west side of Broadway between Third and Sixth Streets. While this is a glaring example of inequality, there were many others, especially in sections were frontage was not so valuable.

The one big factor in straightening out the assessment tangle was the establishment of the joint bureau of appraisal, which had been advocated strenuously for months by the Municipal League. Early in 1915 this bureau commenced the work of revaluing all real property in the City and County of Los Angeles. It completed its work about the middle of 1916. The writer happened to be its land valuation expert, having charge of all land valuation work within the city limits, and is familiar with the methods used.

The city was divided into 211 districts averaging about one mile wide and two miles

long. Outline maps showing block frontages were prepared, one for each district. In practically every district committees of property owners sat in with the Deputy Appraiser. After a full discussion of the market value of the frontage, the figure decided upon was placed on these outline maps. A re-check was then made of all completed maps to see if any inequalities existed, equalization being of as much importance as the obtaining of a fair market value. The completed maps were then turned into the Computation Department of the Bureau. All frontage was valued on the uniform basis for 100 feet of depth, the Computation Department using a depth percentage table for varying depths.

An increase in the assessed valuation of the county for that year of over \$75,000,000 resulted from this work, in addition to a proper equalization. To-day in the County Assessing Department one can see at a glance how his assessment compares with his neighbors or with other property of a similar character.

In conjunction with the Bureau's work, a Building Department was also created and every building in the city and county was measured and classified, and the proper unit or cost factor applied. Bungalows, residences, etc. were further classified as special, good, medium, and cheap with a different cost factor for each.

During the year 1923, 102,000 new buildings in Los Angeles County were measured, classified and the proper cost factor applied.

Further Improvements by Hopkins

Under County Assessor Hopkins the methods that were adopted by the Bureau have been enlarged and very much improved. The cost for 1923, promulgated by the Local Chapter of the Associated Contractors of America, vary but little from these obtained by the County Assessor. Of course a definite percentage only of these cost figures is taken for assessment purposes.

There is also used a depreciation chart, representing the judgment of leading architects and contractors. In valuing buildings, due allowance is further made for age, lack of utility, and obsolesence.

Dangerous to Sign Paving Petition

Supreme Court Passes on Question

On May 3rd, 1919, the owners of property abutting and adjacent to certain named streets of Sioux City presented to the city council a petition for the paving of said streets and that the cost of such improvement be assessed to the property as by law provided. This petition was signed by the appellant in this case and contained a provision or statement as follows:

We further agree to waive all claims for any excess of the paving over and above twentyfive per cent, of the actual value of property.

This petition was acted upon favorably by the council and the paving was constructed. The record discloses no contest by any property owner and no irregularity or jurisdictional defect in the proceeding, and no objection was made thereto until the matter of spreading the assessment of the cost upon the property subject to such charge came on for consideration. The schedule of assessments made by the engineer and approved by the council included some 17 or more lots belonging to the appellent and represented an aggregate of \$7,591.54. Appellent objected thereto on the following grounds: (1) The assessments exceed the value of lots; (2) they were not made according to the benefits conferred; (3) were levied according to area without regard to benefits as compared with other lots in the district; (4) are not distributed ratably and proportionately with the benefits; and (5) that the city owns a strip of ground within the paving district wholly omitted from the assessment. These objections were overruled, and the land company appealed to the district court from such ruling. On the hearing below appellee offered the testimony of a real estate dealer and of one of its managing officers to the effect that certain of the lots in question, owing to their elevation above the street level, were of very little value; that some of them received no actual benefits from the paving; and that the benefits to others of said lots were largely over assessed. No other witnesses were examined. Upon consideration of this showing, the trial court entered a judgment or decree setting aside and canceling entirely the assessments on eight of the described lots and materially reducing the charge

upon the remaining lots. From this ruling the city of Sioux City has appealed. Reversed.

The following opinion was written by the late Justice Weaver and is now adopted as the opinion of the court:

It is to be kept in mind from the outset of this discussion that aside from the alleged excess and inequality of the special assessments, the authority of the council to order the paving and cause the work to be done stands unchallenged. Except in the respect mentioned, the regularity of the proceedings is unquestioned. No complaint is made of the quality of work or that the paving as made is anything other than was contemplated by the petitions therefor. The sole ground on which the payment of the assessment is contested in this court is that it is excessive and unequal, and to that phase of the inquiry we now direct our attention. It is doubtless true that the situation and topography of the property in question is such as to unfavorably affect its value and to render it more or less difficult of access. but it was platted into city lots within the taxing zone of the paving district and was doubtless purchased and held by the land company waiting the time when by the growth of the city and by the unearned increment arising from its evolution such lots would acquire a value to the profit of their owners. With full knowlege of the situation and of the condition and nature of this property, and doubtless with the purpose of hastening such development and accelerating the harvest of anticipated profits, the appellee company not only solicited and petitioned for the paving of the streets, but as an inducement to such action voluntarily and in writing waived the benefit of the statute which limited to 25 per cent, the liability of its property to special assessment for that purpose. As reasonable men of ordinary judgment and experience, they knew it was not only likely but morally certain that the cost of the pavement which they petitioned for would be greatly in excess of the 25 per cent limit and expressed their willingnesss and desire to assume that burden in consideration of an improvement which they believed would be a factor in promoting the value of their holdings in that taxing district. Having obtained the desired improvement, they are estopped by the most elementary principles of equity from claiming protection or immunity under that statute. This estoppel did not, however, inhibit their right to insist that their assessments should not be unreasonably excessive if such abuse of power be shown. The jurisdiction and authority of the council having been regularly invoked and exercised, the burden of impeaching the assessments is upon the appellee. This the appellee seeks to establish by the assertion that the tax levied is (1) greater than the actual value of the property, and (2) is greater than the special benefits conferred and in support of this contention they produce the testimony of two witnesses who state their estimate or opinion of the value of the several lots with and without the improvement. claim and arguments of appellee's council proceeds upon a mistaken theory of the principles underlying the law governing special assessments. True, such charges are to be supported, if at all, on the theory of special benefits to the property on which the burden is laid; but it is not true, as appellee appears to think, that to sustain the legality of such tax the resulting benefits must be immediately reflected in the present market value of the taxed premises. This court has said-

"The test is not necessarily whether the market value has been increased, but whether the improvement has enhanced the actual value or worth of the property." Camp v. Davenport, 151 Iowa, 38, 130 N. W. 139.

Again we have said:

"Increase and decrease in the present market values is not a decisive test upon the question whether the property is benefited * * *
Future prospects and reasonable anticipations of the city's growth, expansion and consequent needs may all be considered." Bell v. Burlington, 154 Iowa, 615, 134 N. W. 1084.

In re Jefferson street sewer, 179 Iowa, 975, 162 N. W. 239, we held that the act of the city in ordering the construction of a sewer raises a conclusive presumption that the legal zone of the improvement will be benefited in some degree and the decree of the trial court on appeal wholly canceling an assessment on the theory that no benefits have been conferred will be reversed. In Ry. Co. v. Centerville, 172 Iowa, 444, 153 N. W. 106, 154 N. W. 596, the ob-

jection to assessment for paving was identical with one presented in the instant case, and there as here, the property owner insisted there was no resulting benefits, and we said:

"Speaking generally, there is a fair presumption that all real estate receives some degree of benefit from the permanent improvement of a street upon which it abuts. It is upon such presumption that the whole system of special assessments for local improvements is justified and sustained. Acting upon such presumption city councils have been clothed with a certain degree of * * * power to determine when it is expedient and proper to pave any given street or streets, and to provide, within certain limitations, how the cost thereof shall be defraved. This discretion includes the authority to assess such costs up to abuting property, in proportion to the benefits accruing to such property. It follows, we think, that the order of the city council, acting in accordance with the statute for the paving of the street and assessment of the cost upon abutting property, is not subject to control or interference by the courts; and (still assuming that the provisions of the statute have otherwise been observed) the question to be considered, upon an appeal from the assessment made, is whether the burden has been distributed or apportioned upon the several items of abutting property with due reference to the benefits they derive from the improvement. In other words, the action of the council, in ordering the pavement and providing that the cost shall be assessed upon the abutting property, is a legislative determination that the improvement is expedient and proper and that the property abutting upon the improvement will be benefited thereby; and such determination cannot be set aside or overruled in a judicial proceeding. This is not inconsistent with right of the property owner to question and have determined the regularity of the procedure by the council and the equality of the assessment. In other words, while the owner of abutting property may object that it has been over assessed, he cannot, if the proceedings have otherwise been regular, be heard to say that it is not liable to be assessed at all. Northern Pac. R. Co v. Seattle, 91 Pac. 244, and other authorities there cited. See also Spencer v. Merchant, 125 U. S. 345; Paulsen v. Portland 149 U. S. 30."

Further along in the same opinion we said: "The argument proceeds upon a mistaken conception of the effect of the statute which provides for assessments in proportion to benefits. It certainly does not mean that, before such an assessment can be levied and enforced, the city must be able to show that, by reason of the paving, the abutting property has been advanced in market value to the extent of the assessment, or point out in detail the specific way and manner in which the requisite benefits are to be realized in the future. Were such to be the rule, few if any, schemes of local improvement at the expense of the property immediately affected could ever be accomplished. It is natural for the average property owner to resent the burden thus laid upon him, and he easily persuades himself that the thing for which he is asked to pay is a detriment, rather than a benefit, to his land; and ordinarily it is not difficult for him to find plenty of sympathizing neighbors who will unite in supporting his contention. Indeed, the benefits to be derived in such cases are ordinarily not instant upon the inception or completion of the improvement, but materialize with the developments of the future. They are none the less benefits because their full fruition is postponed, or because the present use to which the property is devoted is not of a character to be materially affected by the improvement."

The same proposition is well supported by the Supreme Court of the United States in Ry. Co. v. Barber, 197 U. S. 433, 25 Supt. Ct. 407 49 L. Ed. 819, where it is said:

"The foundation of this familar form of taxation is a question of theory. The amount of benefit which an improvement will confer upon particular land, indeed whether it is a benefit at all, is a matter of forecast and estimate. In its general aspects at least it is peculiarly a thing to be decided by those who make the law."

The man who plants a tree or sows a field of grain does not reasonably expect to immediately pluck fruit from such planting or to forthwith reap a well-ripened harvest, and the speculator who, holding unimproved city lots, procures the paving of adjacent streets, does not ordinarily expect immediate profits therefrom. Such improvement is but one item of the many factors from a combination of which his cheap or comparatively worthless lots will gradually but

surely appreciate in value. The country is full of cities in which this sort of development and transformation are taking place, where hills, are being cut down, low places filled, rocks blasted, and property of little value in its native condition is made ready for desirable homes or needed sites of thriving shops and factories. Not least in contribution to such results are well improved streets and public ways. It may be, and indeed is, difficult or impossible to fix or state any precise value or standard for the benefit conferred by the paving as distinguished from other benefits arising from other concurring improvements, but that constitutes no reason for condemning assessments regularly made by the city council where fraud is neither charged nor proved. If it be true that the assessment on some of these lots is greater than their value without the improvement, it by no means follows that it is excessive or unequal. If such property is worthless or of merely nominal value, it may well be that the street improvement will be one of the means or agencies by which these inferior lots will be utilized and given real value.

In this connection it may be noted that so far as this record shows the land company is the only property owner contesting the assessment, and there is no evidence tending to show how this particular assessment compares with that levied on other property, or what was the aggregate amount of the assessment upon the district or zone subjected thereto; so this court is left without any data on which to consider the complaint that there is any essential inequality or disproportion in the levy. In asking for the paving and that its cost be assessed upon the property within the legal zone as fixed by the statute and waiving protection of the statutory limit, appellee must be held to have consented that its property would be charged with its due proportion of the cost of the improvement, no matter how much such cost exceeded the value of the property or the resulting benefits. It is in the nature of a pledge or voluntary dedication of the property of the petitioners to the promotion of the improvement to the extent of the reasonable cost of the paving. Of course, as we have already said, this did not bind the appellee to submit without complaint to an assessment tainted with fraud or to a tax which was in excess of the necessary and reasonable cost of the improvement. But no such objection was made, and it must be presumed the total tax levied was no greater than was reasonably and properly incurred in performing the work, and this amount the petitioners in advance had consented their property should bear. If that cost was greater than the appellee anticipated, such fact affords no reason for abating or reducing the tax. See N. V. L. Co. v. Cedar Rapids, 185 Iowa, 1036, 169 N. W. 644; Gilcrest v. Des Moines, 157 Iowa 525, 137 N. W. 1072.

No sound reason can be assigned for relieving the appellee on its property from the burden so voluntary invited and assumed. The appeal of the city must be sustained and the decree of the district court is reversed.

Good Showing for Ames

(Continued from page 13) involve increased tax levies, there should be no question about it being authorized.

I have repeatedly stated that a very large portion of the water department's expense is due entirely to fire protection, and this should be kept clearly before the property owners of the city. The strengthening of the water system will return dividends in lessened insurance rates, increased fire protection and better quality of water.

In addition to the well, reservoir, service pump, booster station, and the Fourth ward tank for which the bond issue will provide, the distribution system still needs several miles of service mains.

Standard Paving Specifications

(Continued from page 14)

When such specifications and forms have been approved by the engineers and lawyers, they should be printed under the auspices of the League of Iowa Municipalites or some similar organization, and by having a large number printed, they can be furnished to municipalities and engineers interested in such quantities as may be desired, at comparatively small expense.

Some years ago, at a meeting of the League of Iowa Municipalities, I suggested the advisability and advantages of standardizations and specifications of contracts, but the suggestion was then severely criticised on the ground that if they were so prepared, they would provide for construction unnecessarily expensive for many communities. However, from experience had

in this line of work, I am convinced that standardization would be to the advantage of all concerned and would result in better construction in many cases, particularly for smaller communities, and probably at a slightly lower price.

HIGHWAY SIGNALS ARE NECESSARY

Last year there were 15,000 lives lost in highway accidents in the United States. There were 1,7000,000 injuries. The majoritiy of the fatal accidents occurred at night, and most of them could have been averted had proper warning signals been installed at dangerous places, curves, bridges, culverts, railroad crossings and dead ends.

This matter lies strictly in the hands of highway officials, who must assume responsibility for these accidents. A news item in the New York Tribune recently stated:

"In an effort to reduce the possibility of automobile accidents at dangerous curves on roads in Connecticut, the State Highway Department, has installed a number of new type danger signals. The device consists of a heavy red glass reflecting signal erected on a pole at a curve in such a way as to cause a brilliant glare to meet the vision of a driver at night time when the auto headlights shine upon it.

"These signals have been installed with excellent results, and the highway department feels that they have a direct bearing on decreasing the number of accidents at those points.

Occasionally we hear remarks by highway officials to the effect that a motorists who is not acquainted with the highway, its curves and peculiarities, should not drive at night. The tourist who travels from state to state during seven or eight months of the year cannot familiarize himself with all of the hazardous places on the roads over which he is compelled to travel. In some sections of the country, the ideal time for travelling is at dusk or after dark. One highway official who made a remark similar to the above ran off an embankment on his own road and was pinned underneath his car. This in spite of the fact that he himself said that he knew every inch of the road.

This is evidence that even natives or those who constantly travel on a highway cannot always know the dangerous places. We, therefore, reiterate that warning signals are necessary to protect our ownselves as well as the tourists whom we invite to travel over our roads.



Each Serves Its Community

In Fraser, Colorado, a log cabin of three rooms shelters a telephone exchange that connects with the mountain homes of cowmen, miners, homesteaders and tiecutters. In the heart of New York City a new building of twenty-nine stories is to become the home of several metropolitan central offices serving some 120,000 telephones. This building will contain, as well, offices for executives and for engineering, commercial, plant and accounting forces, providing space for over 7000 telephone workers.

Each of these buildings helps to render adequate and economical telephone service in its own community. They stand at the extremes in size, equipment and personnel. Yet they both indicate the nation-wide need for adequate housing of the activities of the Bell System; and they illustrate the varied ways in which that need is being met. One of the largest single items of plant investment of the Bell System is real estate, comprising nearly 1700 buildings acquired, with their sites, at a cost of \$180,000,000.

It is continuously the aim of the Bell System to construct and so to situate each new building—whether executive office, central office, storehouse or garage—so that it shall serve its community with the utmost efficiency and economy, and remain a sound investment throughout its period of life.



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Information Bureau

Quuestions Answered Free for Officers of Members of League of Iowa Municipalities

W. F. S.—Can a township clerk hold office of mayor or councilman at same time.

In my judgment, a township clerk can serve as mayor, councilman or any other town officer, at the same time he is township clerk.

O. S. L.—Please advise us whether the council can demand a depository bond from the bank in which the town funds are deposited?

Can the council pass an ordinance compelling property owners to make connections to sewer and water mains before pavement or such improvements are put in?

The council cannot demand a depository bond from the bank in which the town funds are deposited. There is a law of this kind relating to cities, but it does not at this time refer to towns.

The council has the right to order underground connections, before paving and this is usually done by resolution.

J. R.—Am inclosing poll tax notice of which we just received a new supply and you notice that amount fixed is \$3.00 now the council here fixed it at \$4.00. Has the town the right to collect \$4. or not. I have not noticed where the law was changed from an amount fixed by the council not to exceed \$5.

The printer should have left the space for the amount on the poll tax notice blank as the amount is fixed by the council, not to exceed \$5. a year as you suggest in your letter. I would either send these notices back to the printer or it will be necessary for you to scratch out the three and put a four in its place.

W. D. G.—Our town seems to be up against the proposition of finding a mayor. We failed in our convention to locate a man who will serve. Now, there is talk of increasing the mayors salary, which is now \$2. each meeting and fees. Our clerk says the mayor's salary is fixed by the state and cannot be raised by the council. Is this true? I have the impression that council may increase mayor's and council salary, but same will not apply to present council voting such change in pay. How is this?

You are correct in thinking that the salary of all town officers are fixed by the council. The only limitation is on the salaries of councilmen, and the salary of mayor and other officers can be fixed by the council at any amount desired. You are also correct in thinking that if the salaries are fixed at this time they would not apply to the present officers, but to those elected at the coming election.

J. J.—I am sending enclosed an ordinance prohibiting chickens from running at large which was just passed by the council and which parties have informed me will not stand in the court. Will you please let me know what you think of this ordinance.

The ordinance prohibiting chickens from running at large that I am returning to you is all right and entirely legal. The people who think that this ordinance cannot be enforced probably are confusing the law as it relates to cities, with the law as it is in the country. The law in the country is that chickens are allowed to run at large and the property owner must fence against the chickens, but the rule is directly opposite in cities and towns, in that the city or town has a right to pass an ordinance prohibiting chickens from running at large. This particular question was passed on by the supreme court a few years ago and the supreme court held that the town had the right to prohibit chickens from running at large even though the rule was in the country that chickens could run at large.

C. M. C.—The Telephone Company's franchise has expired and they desire a renewal of the same. Will you kindly advise me the necessary procedure they must take?

How many times is it absolutely necessary that the franchise be published before election?

A telephone company to secure a franchise must have it submitted to the people the same as any other franchise. Section 776 of the code of 1897 requires that the notice of election for a telephone franchise must be given in two newspapers published in the city, if there are two, if not then in one, once each week for four consecutive weeks. Where a telephone company desires a franchise the best plan to follow is for the council to follow the advice of the attorney for the telephone company as the tele-



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AMERICAN MUNICIPALITIES

phone company is supposed to pay all of the expenses of the election and if a franchise is granted it should be satisfactory to the telephone company. The attorney for the telephone company might give a different interpretation to the law than did I or any other lawyer, whom you might consult.

C. M. R.—We have a man that owns a farm and there is 43 acres of his farm in the incorporation, there is about five acres covered by his residence and orchard and yards, the balance is in farm ground. What is the law on this. We have electric light and he has them in his residence the same as the rest of the citizens and same fire protection as the rest of the citizens. Now he wants the council to give him his incorporation tax back so he will not have to pay any on his 43 acres. It seems to me that he should pay some incorporation tax on his residence. This is the question that I would like the advice on. The county attorney told council last spring that Mr. Garland was entitled to pay this tax.

In many cases there is an injustice in regard to taxation such as you speak about but unfortunately the state law provides that tracts of land of over ten acres in extent used exclusively for agricultural and horticultural purposes is exempt from all city taxes, except a 5 mill road tax. Under this law I would be inclined to hold that Mr. Garland's forty-three acres would be exempt from general city taxes. I note that you say the county attorney gave you an opinion that the man was subject to city tax. I would be glad to have you submit this letter to the county attorney and ask him what particular law or decision of the courts he bases his opinion on. I would be glad indeed, if it were possible to make property situated as Mr. Garland's, subject to city taxes, but have never been able to find any way we could do so.

O. J. M.—As we have a consolidated school with several teachers from other parts of the state who have been teaching here since last fall, would they be allowed to vote. Also one of the teacher's folks live out in the country about two miles the said teacher stays in town during the week and goes home over Sunday. Would he be allowed to vote?

School teachers who are employed in town for the school year and do not reside in the town during the vacations are not entitled to vote at the town election. It all depends on the intent of the person as to whether or not they are residents of the town. If a person comes to your town with the intention of making it his

permanent residence then he is entitled to vote if in other ways he can comply with the law. But a person coming to your town with no intention of making it his permanent home is not entitled to vote under any conditions. The school teacher who is living with his parents two miles out of town, but goes home Saturday and stays over Sunday would certainly be a resident of the township his parents live in and not a resident of your town, and therefore is not entitled to vote.

J. H. M.—In the assessment of banks, our assessor is experiencing some difficulty in arriving at the proper method, and we are writing you for a general idea of how these assessments should be made.

The assessor states that the banks are claiming as offset, all real estate at their book value. In the past real estate was at its assessed value.

Can banks list property owned outside of the assessment district of which we have no record of value?

I was talking with Attorney General, Ben Gibson, the other day as to whether or not banks have the right to offset the capital, surplus and undivided profits by real estate owned by them. and he is of the opinion that they have a right to do this whether the real estate is owned within the town or not. He said that he believed it was a recent opinion on this point, but he did not give me the citation. I will write to him to-day and ask him if he could do this. While it might result at the present time in banks being almost entirely exempt from taxation, yet I am very sure that all of the banks would rather pay taxes and not have this land that they have been obliged to take over. It is a bad condition where the capital, surplus and undivided profits of a bank is tied up in land, and the banks will certainly be compelled to get rid of this land just as soon as they can. The chances are that the banks would all be glad to be rid of this land at this time. I do not know of anything we could do in regard to this under the present conditions.

E. R. S.—The town council seems to think that owner must take care of the overflow of water when we have a good rain, others seem to think that the town should look after this as it is in corporation, this is a natural flow of water; that is, it is a low spot, a hill on east and also on west.

It is pretty hard to state the law in regard to surface water in regard to any particular condition, and it is pretty hard to say who should take

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care of the surface water without being on the ground. In a general way, the law is that the surface water should be allowed to follow its natural course and that a property owner cannot do any thing to obstruct the flow of surface water from the property owners above him. Each property owner is supposed to take care of the surface water on his own premises. If the water coming on to the property is only that which comes from the natural water shed, the property owner must provide a passage for the same, and cannot fill up the natural water course. Where a town has graded its streets and caused a greatly additional amount of surface water to flow on a man, the rule might be different, but it would be pretty hard for a property owner to prove that the grading of the streets causes more surface water on his land, than before the streets were graded. Unless there is some exceptional condition every man is obliged to take care of the surface water as it comes to him along the natural lay of the ground.

J. G. W.—A number of farmers have wheat stored in elevators here in town. The elevator manager turned it in to our assessor as stored grain. Now these farmers claim that it should not be assessed as it comes under the head of new grain.

In regard to taxation of grain in a ware-house, chapter 147, laws of the 40th general assembly provides that every warehouse man shall file with the assessor in the district in which the warehouse is located a written statement showing all property in his posession belonging to another and subject to taxation. This is the

section, no doubt, under which your elevator man reports to the assessor the grain in his posession belonging to different farmers. can be no question about the ownership of the grain, but the question that comes up, whether this grain is subject to taxation. Section 1304 supplement 1915 dealing with the exemptions from taxation, paragraph 3, provides that the farm products of the person assessed harvested by him within one year previous to the listing which in addition to many other articles be exempt from taxation. I would think therefore that if this grain in the elevator was raised and harvested last year, that it would not be subject to taxation but that if it is held more than one year that then it is subject to taxation.

A. A. D.—Is the waterworks superintendent and the street commissioner of the town appointed by the mayor, or is he elected by the council?

The law provides that the street commissioner and marshal shall be appointed by the mayor and also provides that any other officers outside of the clerk, provided for by the council shall be appointed by the mayor. If you have a superintendent of waterworks and the council desire to hire him, provide that in your waterworks ordinance, that the council or a committee of the council shall employ some man to look after the water works department, and that he shall be known as superintendent of the waterworks. Do not create the office of superintendent of the waterworks as in that case the appointment would be made by the mayor.



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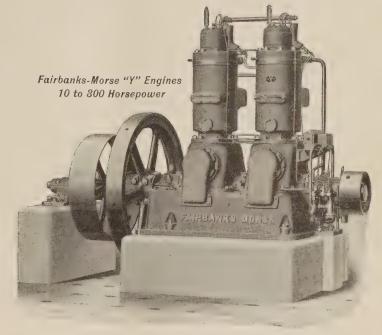
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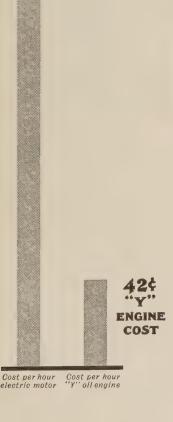
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WILL TAX BILLBOARDS

Massachusetts will hereafter put a tax on the highway sign even through erected on a private property. The contentionis that the value of the sign is derived from public highway. not from the property on which it is located, and that the first obligation is to the public who owns the highway and gives the sign an advertising value. Permission from the land owner is a secondary matter. It would be well for other legislatures to extend the Massachusetts idea and give the highway authorities some control over all signs erected on private property that in any way derive their value from their location as regards a public highway. This is the only way that the highway officials can keep control over the sign and billboard nuisance along the public highways. Good Roads Magazine.

The city council of Bedford will consider the installation of a gasoline pumping plant at the waterworks to replace the electric plant.

STATEMENT OF OWNERSHIP

MANAGEMENT, CIRCULATION, ETC.

Of American Municipalities, published monthly at Marshalltown, Iowa, March 31, 1924.

STATE OF IOWA, COUNTY OF MARSHALL, SS.

Before me a Notary Public in and for the state and county aforesaid, personally appeared Frank G. Pierce, who, having been duly sworn according to law, deposes and says that he is the owner of the American Municipalities, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption:

1. That the names and addresses of the publisher, editor, managing editor and business managers are, publisher, Frank G. Pierce, Marshalltown, Iowa, editor, Frank G. Pierce, Marshalltown, Iowa; managing

editor, none; business manager, none.

2. That the owners are: (Give names and addresses of individual owners, or, if a corporation; give its name and the names and addresses of stock: holders owning or holding 1 per cent or more of total amount of stock). Frank G. Pierce, Marshalltown, Iowa.

3. That the known bondholders, mortgagees and other security holders owning or holding 1 per cent or more of the total amount of bonds, mortgages, or other securities are: (If there are none, so state.) None.

FRANK G. PIERCE.

Sworn to and subscribed before me this thirty-first day of March 1924.

(Seal) Roy L. Pell.

(My commission expires July 4, 1924.)

How About Your Ordinances

ARE your ordinances in such shape that you can tell anything about them?

In many cities and towns the ordinances have not been revised for years and many of them conflict with the state law.

If your ordinances are not in good shape, better have them revised.

Write me for terms.

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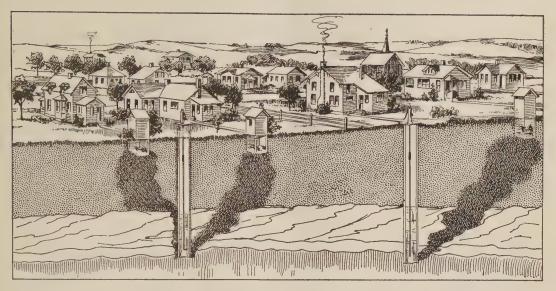
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Are you going to sit by, and let this condition exist in your town? It can be corrected by the COUNCIL showing the property owner, for how small a cost he can have a Sanitary Sewer System for his home and thus protect the life of his family.

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WANTED—To buy a single head type electrically operated fire Siren. Address R. J. Camp, city clerk, Shambaugh, Iowa. 424

FOR SALE—1-50 horse Fairbanks Morse Engine, 1 belt size 12 in wide by 38 feet long. These are in good repair and will be sold cheap. Write L. V. Pulver Clerk, Town of Bayard.

FOR SALE—A horse drawn Road Oiler, 500 gal. capacity; in good condition. 1 second hand Fire Bell. Price on application. L. F. Albers, City Clerk, Fort Madison, Iowa.

FOR SALE—Second hand 7½ HP., 110-220 volts, 60 cycle 1 phase 1750 rev, AC Wagner Electric Motor with pulley 5x4½ x1 % and 220 volt starter; will sell for one half of cost, reason for selling it being too small for our work, if interested write C. T. Tollefson, Town Clerk, St. Ansgar, Iowa.

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WANTED—Chemical tank 40 or 45 gallon capacity mounted on pull cart, turn over type desired, R. H. Finnell, Whittemore, Iowa.

FOR SALE—City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable document files 13½ in x 4 in x10¾ in. Cupboard: lock doors and drawers 30in. wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

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1 Fairbanks Morse 6 in. belt driven centrifugal pump. 1 Stillwell Heater 100 horse. 1 Cook Pump head size C, cylinder and pipe complete. 500 ft. 3 in. pipe. A quantity of 8in. pipe. City Clerk, Alta, Iowa.

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POSITION WANTED—Man with technical education and fifteen years practical experience, erecting, operating and managing city light and water plants also surveying for sidewalks, sewers and water mains will be open for position about April 15th. References. Frank Pierce, Marshalltown, Iowa.

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WANTED—A good used 25 to 50 HP fuel engine, O. F. Mangold, Councilman, Brighton, Iowa. 224

WANTED—A second hand Electric Siren. State price in first letter, W. S. Shaffer, Town Clerk, Colesburg, Iowa.

WANTED—A fire alarm or an Electric Siren. Ben Haselhuln, Town Clerk, Melcher, Iowa. 224

FOR SALE—One 8x10 belt driven plunger pump, in good condition, also one 8x10 geared plunger pump, in good condition and, one Goulds centrifical pump. Address inquiry to A. J. Bryant, City Clerk, Sigourney, Iowa.

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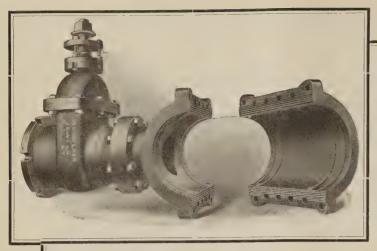
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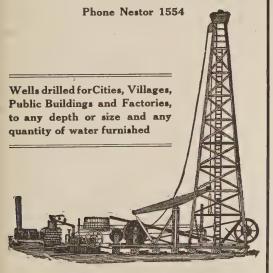
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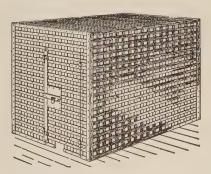
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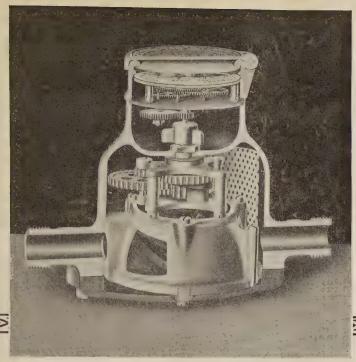
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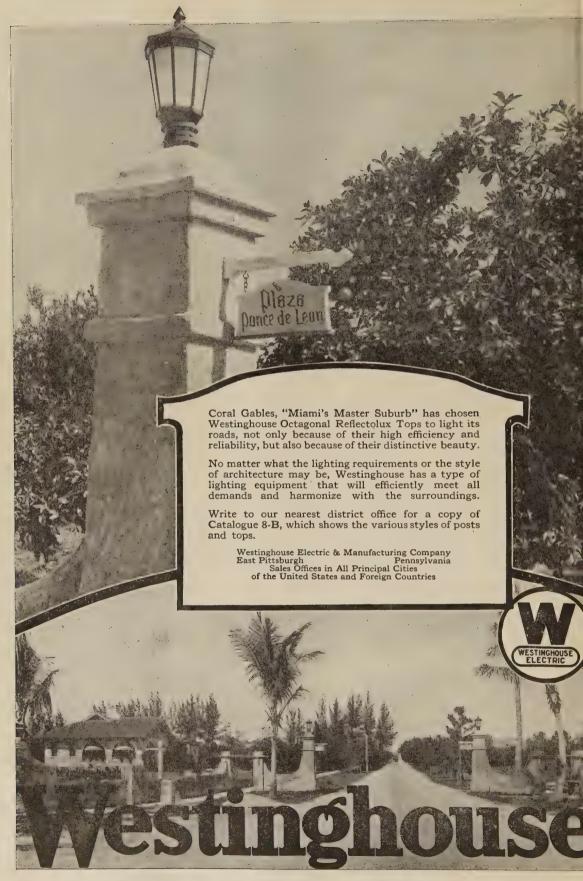


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To help you determine which grade of oil is most suitable for your work, we maintain a staff of road engineers. These men spend their time studying, advising and recommending the proper methods of improving roads with Standard Asphalt Road Oil and Stanolind Paving Asphalt. Their services are at your disposal.

Two booklets have been prepared by these men, one covering the use and application of Road Oil and the other of Asphalt. Either or both will be sent to you on request.

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American Municipalities

May, 1924

Vol. 47, No. 2

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price. \$1.00 per year Advertising rates made known on application

> "For forms of government let fools contest, What'er is best administered is best."

Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of Iowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

The special session of the legislature adjourned April 26th after about five months of hard work.

The law in regard to cities and towns was not changed except in minor ways.

The most important change was probably the change in the paving law requiring a preliminary plat and schedule before the passing of the resolution ordering the work.

This change and in fact none of the changes will take effect until the new code is published so this provision will not apply to improvements ordered this year.

In the succeeding issues the different bills will be fully explained and will be carefully considered at the annual meeting of the League.

The members of the legislature are to be congratulated upon their honest effort to give the state an ideal code.

Mistakes have without doubt been made but the people should know that these mistakes are honest ones and that every member of the legislature worked faithfully to do the best he could.

By the way the primaries to nominate candidates for the legislature will be held the first of June and now is time for municipal officials to find out how the different candidates stand on public questions and vote and work for those who stand for the things that we stand for.

It is much better to vote for a man who thinks as you do on public questions than to try to influence a man who thinks differently after he is elected.

Find out how the different candidates stand on the question of a state utility commission.

If you are opposed to such a commission be sure that the man you vote for at the primary is also opposed.

If you are in favor of local self government vote for and support the candidate who does not favor centralizing all authority in state commissions and officers at Des Moins.

The same rule applies to the candidates for Governor and Lieutenant governor.

The average man is in favor of the people or of the corporations.

You should find out definitely how the candidates stand on these public questions and then support those who believe as you believe.

Now that the special session is over the most important matter to consider during the next month is the selection of the proper members for the next legislature.

CONSOLIDATED TAX

In the last few months we have received many enquries in regard to the consolidated tax for cities and towns and am therefore publishing a statement of the law in this issue. Those municipalities that make use of this tax find it greatly to their advantage and if you have not been using it you should carefully read the article and then if there is any particular point on which you are not clear write the secretary and he will try and make it clear. In any event it will pay you to carefully read the article.

"A financial madness is over the lard" which is reflected in high tax rates, a large proportion of which goes to the debt charges, says George H. Ross, finance commissioner of Toronto. He points out that while the population of Toronto has only increased 15% in the last ten years, debt charges have increased 146%, taxation 147%, and assessments 54%.

The Minneapolis City Council has granted permission to the Minneapolis Street Railway Company to operate busses on streets designated by council. The latter body reserves the right to recind or amend this ordinance. Furthermore, the company must pay a proportion of the cost of removing the snow and sprinkling the streets on which these busses will operate.

NOTICE

Municipal officials receiving American Municipalities do not incur a financial obligation. Either your city or town is a member of the League of Iowa Municipalities and you are entitled to a copy free each month or the copy you receive is a sample copy. Read the copies as they are received and they will help you in your work as an officer.

Municipal Publishing Company.

Clinton Sumner Burns 1871-1924

Clinton Sumner Burns was born in Waverly Iowa, October 26th, 1871.

He was educated at Cornell University and Stanford University, graduating from the latter place in 1897; coming direct to Kansas City, entering the employ of the first Park Department in Kansas City, under George Kessler.

On April 1st, 1898, twenty-six years before the date of his death, he and R. E. McDonnell established the firm of Burns and McDonnell engaging in municipal engineering, specializing principally in waterworks and sewers. Six years ago the firm was changed to Burns and McDonnell Engineering Co. taking in as members of the firm four of the older employees of the organization. About two years ago the firm established a branch office in Los Angeles, California, in charge of Chester A. Smith.

Mr. Burns has been actively identified with the work and committees of a number of Nationl Engineering Organizations, becoming an associate member of the American Society of Civil Engineers, February 1st, 1899, and a full member January 3rd, 1905. Was also a member of the American Water Works Association, American Association of Engineers, New England Water Works Association and the American Institute of Consulting Engineers; and was one of the founders of what is now the Engineers Club of Kansas City. In 1905 he was made a member of the Sigma Xi, an honorary engineering fraternity.

Locally Mr. Burns took an active interest in all civic matters, being a member of the Engineers Club, City Club, Kansas City Athletic Club, Cosmopolitan Club, Chamber of Commerce, Milburn Country Club and the Community Golf Club. He was a Shriner and a member of the Ivanhoe Blue Lodge and, was a member of the Linwood Presbyterian Church.

Mr. Burns is survived by his wife, Mrs. Mabel N. Burns, one daughter, Miss Miriam Burns and a sister, Mrs. Nellie Delmont, of Almena, Kansas.

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The Consolidated Tax Levy

Every Council Should Consider Its Advantages

In order for a city or town to place its finances on the budget system, it is necessary to comply with the provisions of the Chapter 112 Laws of the 38th General Assembly. While this law is spoken of as the budget law yet it does not allow cities and towns to combine all of the funds but only such funds as are specifically mentioned in the law.

The principle on which the law is based is that it is proper to allow a city or town to consolidate the funds used for current expenses, but that bond funds or any fund pledged to pay obligations incurred for permanent improvements should not be diverted from the use to which they are pledged.

The greatest advantage of working under this law is that by levying the consolidated tax, the money received can be used for any of the purposes of the combined funds and this gives cities and towns more money to be used for general expenses. As the general fund is the one that is usually overdrawn, this plan by allowing the consolidation of such levies that you may not need with the general fund, will relieve this condition and make it possible for cities and towns to place their finances on a cash basis.

The law is as follows:

Section 1. That in lieu of any or all of the separate annual levies provided in sections eight hundred eighty-seven (887) of Code, and subdivision one (1), two (2), three (3), seven (7), and eight (8), of section eight hundred ninetyfour (894) of the 1915 supplemental supplement to the code, as amended by chapter three hundred seventy-five (375) of the acts of the thirtyseventh general assembly, cities and towns may levy one tax which shall not in the aggregate exceed the total amount of taxes which such city or town might have levied under the sections and chapters which are consolidated into such single tax levy; provided, however, that the city or town making such consolidated levy shall prior to the first day of April thereafter appropriate the estimated revenue to be received from such consolidation levy in such ratio as the council may determine, said appropriation to be for no purpose not provided for in the sections and chapters so consolidated.

Section 2. Whenever the power granted in the preceding section is exercised by any city or town, it shall be the duty of the council prior to the first day of April of each year to make up and prepare an annual budget on the basis of estimates of the expense of the several departments of such city or town. Such estimates shall show not only the purpose for which the consolidated levy authorized in the preceding section is to be used, but in addition thereto the purpose for all to be used, so that said budget when so made up will show all of the proposed expenditures for the ensuing year. Such budget of proposed expenditures shall be published in one or more newspapers of general circulation published in such city or town, but where no newspaper is published in such town then by posting in three public places, the publication to be at least two weeks before said budget is finally adopted by the council, and the time when such budget will be considered by the council, for final adoption shall be stated in said publication. On the day thus fixed for considering said budget, full opportunity shall be given for hearing any objections or protests which any taxpayer of the city or town may desire to make to any item or items in such budget or to any omissions therefrom.

Section 3. Nothing herein shall be construed to affect or repeal any of the existing statutes authorizing tax levies in cities and towns.

In regard to the consolidated tax where it is levied it is necessary for the council to comply with section 2 of the law as above given and appropriate the consolidated fund to the different uses of the town before April 1st of the succeeding year.

A careful reading of the law will explain its provisions and most cities and towns will find that their financial afiairs will be in better shape by making use of the consolidated tax.

The following funds are the ones that can be consolidated under the law as above given.

Section 887 as mentioned by the thirty-ninth general assembly. General fund. The council of such city or town shall levy a tax for the year then ensuing, for the purpose of defraying its general and incidental expenses, which shall not exceed ten mills on the dollar. The council of each city or town is hereby authorized to levy a tax for the year nineteen hundred and twenty-one and for the year nineteen hundred twenty-two, not exceeding two (2) mills on the dollar, for the purpose of meeting any deficiency in or inadequacy of said ten (10) mill levy.

Section 894 of the code, paragraph 1. A tax not exceeding, in any one year, three mills on the dollar, for a fund, to be used for the purpose of opening, widening, extending and grading any street, avenue, alley, public ground or market place.

Section 894, Paragraph 2. Improvement fund. A tax not exceeding, in any one year, five mills on the dollar, for a city improvement fund, to be used for the purpose of paying the cost of the making, reconstruction or repair of any street improvements at the intersections of streets, highways, avenues or alleys, and at spaces opposite streets, highways, avenues and alleys intersecting, but not crossing, and at spaces opposite property owned by the city or United States, and for the purpose of paying the purchase price and subsequent taxes assessed against property purchased by the city at tax sale.

Section 894, Paragraph 3 as amended by chapter 394, laws of the thirty-eighth general assembly. Sewer fund. A tax not exceeding. in any one year, five mills on the dollar on the assessed valuation of all property therein, for a city sewer fund, when the entire city comprises one sewer district, to be used to pay the cost of the making, reconstruction or repair of any sewer at the intersection of streets, highways, avenues, alleys and at spaces opposite streets, highways, avenues and alleys intersecting but not crossing. and at spaces opposite property owned by the city or the United States, and to pay the whole or any part of the cost of the making, reconstruction or repair of any sewer within the limits of said city, and for the maintenance and operation of any sewage disposal plant included in said

sewer district, when a city has been divided into sewer districts, a tax not exceeding five mills on the dollar on the assessed valuation of all property in the sewer district, for a district sewer fund, to be used to pay, in whole or in part, the cost of the making, construction or repair of any sewer located and laid in that particular district, and for the maintenance and operation of any sewage disposal plant included in said sewer districts.

Section 894, Paragraph 7. A tax not exceeding, in any one year, five mills on the dollar-for the purpose of paying the amount due or to become due to any individual or company operating waterworks for water supplied under any contract, the levy to be limited to the property as in subdivision five hereof, and if in the cities of the first class the maximum tax is insufficient to pay such amount under contracts now in force, the deficiency shall be paid out of the general fund.

Section 894, Paragraph 8 as amended by chapter 375 laws of the Thirty-seventh General Assembly. A tax not exceeding, in any one year, five mills on the dollar, for the purpose of paying the amount due or to become due to any municipality, individual or company, operating gas works or electric light or power plants for all gas, electric light or power supplied under any contract and the expense of the gas light, electric light or power inspection department of the city, including the salaries of inspectors therein, the levy to be limited to the property as in subdivision six hereof, providing that in cities of five thousand or less and towns, there may be in any one year a tax not exceeding seven mills on the dollar.

There are other funds that can be levied by cities and towns and these should be levied in addition to the consolidated fund and should be kept separate the same as they have in the past. The greatest advantage of operating under the consolidated tax is the fact that most cities and towns are always short in the general fund and in the electric light fund, even though they levy the maximum amount of ten mills and the two mills extra in the general fund and the full seven mills in the light fund. It is seldom that a city or town will need the full levies in the grading fund, the improvement fund, and the sewer fund, and by consolidating these funds with the

general fund and light fund and appropriating the money for the necessary uses enough money can be brought in to meet all of the expenses of the general and light fund.

The right to levy a tax for water as provided by paragraph seven above, is of comparatively little value because few of the cities and towns purchase water from a private water company and where the town has its own waterworks system, this tax provided for by paragraph seven cannot be levied. Under municipal ownership of the waterworks the tax authorized by paragraph five of section 894 is the tax to be levied.

Where a city or town owns its own lighting system the lighting tax authorized by paragraph eight, cannot be consolidated because with municipal ownership the lighting plant tax authorized by paragraph six, of Section 894, is the tax to be levied.

In the great majority of towns, the following taxes can be combined in the consolidated tax.

General fund	10 mills
Deficiency in general fund	2 mills
Grading fund	3 mills
Improvement fund	5 mills
Sewer	5 mills
Light .	7 mills
Total	32 mills

When it is desired to take advantage of the consolidated tax levy, the resolution of the council making the levy should be about as follows:

TAX LEVY RESOLUTION

Be it resolved by the council of the Town of, Iowa:

There is hereby levied, taxes for municipal purposes for the ensuing year, the following number of mills on the dollar.

.....mills on the dollar for the consolidated fund as provided by Chapter 112, Laws of the Thirty-eighth General Assembly.

....mills on the dollar for the consolidated fund as provided by Chapter 112 Laws of the Thirtyeighth General Assembly.

... mills on the dollar for a bond fund to pay electric light bonds.

NOTE (Run any other special taxes you desire to levy other than those combined in the consolidated tax.

Five mills on the dollar on all lands of more than ten acres which shall also in good faith be occupied and used for agricultural or horticultural purposes, and all personal property necessary for the use and cultivation of agricultural and horticultural lands, for road purposes.

Be it further resolved that all property within the corporate limits of said town is within the limits of the benefits and protection of said tax levies.

Be it further resolved that, the clerk is hereby ordered to certify the sums of money the above tax levies will amount to in money to the county auditor on or before the first Monday in September, to be placed on the tax list.

	Mayor
Attest	Clerk

THE BUDGET

According to Section 2 of the law above, every city and town taking advantage of the consolidated tax must before the first day of the next April, that is, before beginning of the next fiscal year, make up and prepare an annual budget, showing the purpose for which the consolidated levy is to be used and also for what purpose all other levies made are to be used. This budget must be published, if there is a paper published in the town, otherwise by posting in three public places and the tax payers have a right to come in and object to any item in the budget, or to all of them.

The ideas of a budget is to take the total amount of money that you expect to receive in the consolidated fund and divide it up for the different purposes setting aside a certain amount for each purpose. A budget for a town might well have a heading "officers salaries," with a sub-head of "the salary for each office," Cost of street lights, office expense, road work and any other items that the council desire to set aside money for at the beginning of the year. The more in detail the budget goes, the better understanding the officers and people have of the financial affairs of the town.

Outside of the consolidated fund, the income from the other funds levied should be set aside for the specific purpose for which they are levied as the law provides that this budget shall cover all of the funds as well as the consolidated fund,

According to paragraph sixteen, of Section (Continued on page 55)

Oiling of Streets

Explanation of Law Taxing Cost to Property

The law in regard to oiling of streets and taxing the costs up to the abutting property is found in chapter 172 laws of the 37th General Assembly. A careful reading of this chapter will explain the different steps necessary to order the oiling of streets and then taxing of the costs to the property benefited.

Section 1. Provides that any city or town may, by resolution, order any street oiled and tax the costs to abutting property, except that the intersections must be paid for by the city or town.

Where a street railway is in the street the railway company must pay for that part of the street between their tracks and one foot outside, but this provision would not apply to towns that do not have street railways.

A majority vote of the council may order the improvement with or without a petition of the property owners.

The council can do the work by day labor or let a contract as they think best.

The resolution ordering the oiling of streets should be worded about as follows:

RESOLUTION FOR OILING STREETS

Be it resolved by the Council of the Town of....., Iowa.

That.....street from the east line ofstreet to the west line ofstreet, andstreet from the east line ofstreet east to the town limits, be and the same is hereby ordered oiled and the entire cost thereof, except the cost of oiling the intersections, shall be assessed to the property abutting upon such streets in proportion to the benefits conferred thereby.

The oiling shall be done by the municipality and the benefits assessed in accordance with the law providing for oiling of streets and assessing the cost to the benefited property.

Section 2. Provides that within thirty days after the completion of the oiling an itemized and verified statement of the costs shall be filed with the clerk.

Section 3. Provides for the notices to the property owners. The clerk shall first prepare the proposed assessment of the costs of the oiling showing the amount to be assessed against each piece of property and then give at least ten days notice that the council will meet and consider objections to the assessment. The notice shall contain a statement of the extent of the work performed, the total cost thereof, that a proposed assessment of the cost of such oiling against abutting property is on file in the office of the clerk and a statement of the time when the council will meet and hear objections to such assessment.

The proposed assessment should be worded about as follows:

PROPOSED ASSESSMENT FOR OILING STREETS

In accordance with the action of the council and based on the itemized statement of expense filed by the street commissioner, it is proposed to assess the following amounts against the abutting property on the following streets for the cost of oiling the same.

Broad Street

Lot 1, Block 1 \$1.50

Lot 2, Block 1 1.50

(List each lot or parcel of land)

Prepared by me and filed in my office thisday of, 1924.

Clerk of the Town of, Iowa NOTICE OF ASSESSMENT OF COST FOR OILING

STREETS

Notice is hereby given, to all persons liable to such assessment, that there is now on file in the office of the clerk a proposed assessment of the cost of oiling the following streets:

Broad Street from the north line of 1st street to the corporation line, South street from the north line of 1st street to the south line of Sixth street.

The total cost of such oiling amounts to \$623.87.

The council will meet at 8 P. M., on Monday, the of 1924 to hear objections

if any, to such proposed assessment.

Clerk of the Town of, Iowa Section 4. Provides for the making of the assessment by the council. At the time fixed by the notice of the clerk the council shall meet, hear objections and make any corrections, and then, by resolution, adopt the assessment as proposed or as corrected. If the assessments made in this resolution are not paid within 30 days the amount shall be certified to the county auditor by the clerk.

RESOLUTION ADOPTING ASSESSMENT FOR OILING STREETS

Be it resolved by the council of the Town of........., Iowa.

That the proposed assessment of the cost of oiling Broad Street from the north line of First Street to the corporation line and South Street from the north line of First Street to the south line of Sixth Street, prepared by the clerk and on file in his office, and notice of which, in compliance with the law, was given all persons liable for such assessment, be and the same is hereby levied against the property in accordance with such proposed assessment, and all such assessments not paid within thirty days after the passage of this resolution shall be certified by the clerk to the county auditor as a special tax against the property.

NOTE—If corrections are made in assessment insert "as corrected" after the words "such proposed assessment."

CERTIFICATE TO COUNTY AUDITOR

To auditor ofCounty, Iowa:

I hereby certify the following sums against the following lots and parcels of ground, as a special tax, to pay the cost of oiling streets, all in accordance with actions of the council and the state law.

(Run descriptions and amount)

Given under my hand and seal this..... day of....., 1924.

Clerk of the Town of, Iowa.

Section 5. Provides that objections to the proceedings must be in writing.

Section 6. Provides that any person may appeal from the assessment by serving written notice within 10 days on the mayor or clerk a bond for costs.

SPECIAL NOTE-If there is money in the

general fund and the council desires, the cost of road oiling may be paid out of the general fund and not taxed up to the property.

It would seem that the special tax method would however be fairer.

IOWA CITY TO HAVE ZONING PLAN

As a result of the zoning movement launched in Iowa City by the local Engineers Club, the city council recently formally appointed a zoning commission of twelve members. Professor F. G. Higbee, who was chairman of the special zoning committee of the Engineers Club, was appointed chairman of the new commission.

The personnel of the commission is exceptionally strong. The local institutions represented are: Iowa City Engineers Club, Iowa City Womans Clubs, Iowa City Building and Loan Association, Professional Womans Club, University of Iowa, City Engineering Department and the City Legal Department. The individual lines of work represented include: two engineers, a bond saleswoman, a banker, two realtors, a lumberman, a general contractor and builder, two attorneys and a university editor. It should be noted that two women are included in the membership of twelve.

Iowa City presents several city planning problems which are duplicated in no other Iowa city. These must constitute the basis for the studies of the zoning commission. The well balanced and influential group of citizens making up the commission virtually assures us that Iowa City will in due time secure a zoning ordinance well suited to the peculiar needs of a university town.

The Consolidated Tax Levy

(Continued from page 53)

669 of the Code Supplement, 1913, all cities must make the appropriation for all the different expenditures at or before the beginning thereof, The appropriations are made by an appropriation ordinance. There is no provision in the law requiring towns to make appropriations, but the adopting of a budget has very largely the same effect as making appropriations. Every council that adopts the consolidated tax should be very sure to also adopt a budget

Cost of Street Opening

Supreme Court Passes on Question of Grading

This is an action in equity to enjoin the appellant city from enforcing the lein of a special assessment against the property of appellee for a portion of the cost of grading a street abutting upon property owned by her in the city of Des Moines. The resolution of necessity declared:

"That it is deemed advisable and necessary to open Washington Avenue from the east line of East Twenty-ninth street to the east line of East Twenty-Third street, and the following tracts of ground are hereby designated as a street and dedicated to the public for street purposes," and "that the cost and expense to the city by way of damages, if any, to abutting property, and the cost and expense to the city in acquiring the necessary ground for the opening of said street be apportioned to and assessed on and against all lots and portions of land according to area abutting thereon and including all adjacent property privately owned and all included within the boundry line described as follows."

A tax of \$744.80, which included a portion of the cost of grading the street, was assessed against appellee's property. The court below found that, in so far as the assessment represented the cost of acquiring the neccessary ground for the opening of the street it was properly levied against appellees property, but that in so far as the assessment included any part of the cost of grading the street it was levied without authority and should be canceled. A decree so providing was accordingly entered.

Appellant, in addition to a general denial, set up an express waiver by the owner in writing under the provisions or section 825 of the code of 1897. This was the only defense interposed by the city. The questions, therefore, presented by the issues are: (1) Is the assessment of the cost of grading the street void because levied by the city council without jurisdiction? and (2) did Richard Guenther, then the owner of the property, in writing waive all irregularities and illegalities in the assessment, as claimed by the appellant?

[1, 2] Before proceeding to discuss these propositions we will dispose of appellant's contention that, whether an express waiver in writing is established or not, an implied waiver is shown, and that appellee had an adequate remedy by appeal, and that therefore an action in equity to enjoin the collection of the tax will not lie. An implied waiver is in the nature of an equitable estoppel and must be pleaded. The waiver set up in appellant's answer is based strictly upon the statute, which requires that same be endorsed upon the bond or certificate in which it is embraced, or, in a seperate agreement in writing providing that, in consideration of the right to pay the assessments in installments, the owner will waive all objections to any illegality or irregularity in the assessment or levy of the tax. Section 825, code.

It is true, as contended by the council, that waiver is universally defined as a voluntary relinquishment of a known right, and is ordinarily largely a matter of intention; but as stated, appellant pleads only an express waiver, and cannot therefore, avail itself in this action of the generable equitable doctrine of estoppel. Whether, under the facts of this case, an estoppel is shown, we express no opinion.

[3] No question as to the form of the action was raised in the court below, and we cannot, therefore, consider appellant's contention that appellee had an adequate remedy by appeal, and that an action in equity to enjoin the collection of the tax will not lie.

[4] Coming, now, to the propositions raised by the issues and properly before us for decision, we will first take up appellant's contention that the language of the resolution, together with such matters as arise by unavoidable implication therefrom, is sufficient to cover the first cost of grading, and that therefore the city council, in making the assessment complained of, acted within the authority and jurisdiction conferred upon it by statute. The resolution provides specifically for the assessment of the cost of acquiring the

necessary ground for opening the street against adjacent privately owned property in accordance with the benefits conferred thereon by the improvement. The word "opening" is used in no other connection in the resolution of necessity, nor do we find such words as "improvement, establishment of a street," or "necessary work or expense of putting the same in condition for public use," or equivalent language anywhere in the resolution, except the word "improvement," which is used in the paragraph providing for notice of the passage of the resolution.

It is urged by council for appellant that the resolution unavoidably implies that the street known as—

"Washington avenue was to be opened and extended from East Twenty-Ninth street to East Thirty-Third street; that a certain strip of his land would be taken for that purpose; that the cost and expense involved in consummating the improvement would be assessed to the benefited district; that upon a day and hour certain the city council would be in session at the City Hall for the purpose of hearing objections, if any, to the resolution as a whole, or to any particular feature of which he might disapprove; that upon its passage it was contemplated that the ground necessary for the street opening and extension and for the grading and improvement thereof should be dedicated to the public for street purposes."

Some of the above matters are clearly expressed in the resolution or arise by necessary implication therefrom, but can it be said that a property owner, familiar with its terms, would be thereby charged with notice that his property would be assessed with the cost and expense of the improvement in excess of that necessary in procuring the right of way, by purchase or by condemnation? The language of the resolution thus specifically limits the proposal. The position of council for the appellant would be somewhat strengthened at this point, if it were not for the provisions of section 751 of the supplement to the code, which provides that:

"The expense of such extension, improvement and repairs may be paid from the general fund or from the highway or poll taxes of such cities or towns, or partly from each of such funds or by assessing all or any portion of the cost thereof on abutting property according to the benefits derived from such extension, repairs or improvement as provided in chapter seven of title five of the code, and amendments thereto."

[5] Under the above statute, it was optional with the city council whether the cost of the improvement should be paid out of the general fund of the city, or from the highway and poll taxes collected therein, or partly from each of such funds, or by assessing all or a portion of the cost thereof, according to benefits, against privately owned adjacent property. It seems to us that the necessary inference to be drawn from the wording of the resolution is that the city council contemplated only the equitable apportionment of the cost of securing the necessary ground for the street against privately owned property. If it were proposed to levy an assessment against adjacent property for the cost of grading and opening the street, the resolution should have in some way so stated. Cases cited by council involve questions of construction, but as the language of the resolution before us is clear and definite, no ground for construction; except to give the usual and ordinary meaning to the language used is involved. An examination of Spalti v. Town, 179 Iowa, 59, 161 N. W. 17, Royal v. City of Des Moines, 195 Iowa, 23, 191 N. W. 377, and other cases cited reveals that the facts clearly distinguished them from the case at bar. We reach the conclusion on this point that, in assessing an equitable proportion of the cost and expense of opening and grading the street against appellee's property, the city council acted without jurisdiction, and that the assessment, to this extent, is wholly void. [6] As we have already pointed out, property owners may secure the advantage of paying assessments against their property in installments, by signing a written waiver indorsed on a bond or certificate in which the cost of the improvement is embraced, or by a separate aggreement in writing, providing that such owner will not make any objection of illegality or irregularity as to the assessment or levy of such tax upon and against his property. The property involved in this case was, at the time of the assessment, owned by Richard Guenther. He signed the assessment schedule, which, it is claimed by appellant, was intended as a waiver of the illegalities complained of by appellee.

The testimony shows that the schedule to which the signature of Richard Guenther is attached is in the form usually and commonly used by the city in securing waivers, except there is always, either before or after the signing is accomplished, attached to the schedule a printed slip as follows:

"In consideration of having the right to pay the assessment mentioned in the within certificate in installments, as provided by law, I do hereby agree that I will not make any objections of illegality or irregularity as to assessment, and that I will pay the same with interest thereon at the rate of 6 per cent, per annum from the date of said assessment."

It is conceded that the slip was not attached to the schedule when signed by Richard Guenther. The word "waived" is also placed to the left of the signature of each party signing the same by the use of a rubber stamp. This word is stamped to the left of the signature in question. No evidence whatever was introduced showing whether the stamp was used before, at the time, or after, the schedule was signed. The signature of Richard Guenther appears on the second page of the schedule. At the top of the first sheet is a statement of the cost of the improvement, itemized as "contract price," "advertising estimates," "clerical" and "jurors". awards.'' The amount of damages awarded to each property owner is also shown, as is the number of cubic yards of excavation, expense of excavating, together with other important data. It cannot be claimed that an express waiver is shown in this, because the printed slip was not at the time of signing attached to the schedule. and it does not appear that Richard Guenther knew of its existence or contents before he had affixed his signature to the sheet. No evidence was introduced from which an inference may be drawn that he ever saw the attached slip or knew its contents. The signing of the schedule in the form in which it was prepared, together with the fact that it is the form commonly used in the city of Des Moines for the purpose of securing waivers, all tend to throw light upon the intention of Richard Guenther; but, as we have already pointed out, no estoppel is pleaded.

[7] The issue tendered by appellant is that of an express waiver. The statute was enacted for the benefit both of property owners and of the municipality. By signing a waiver, all ir-

regularities and illegalities in the assessment are done away with, and the property owner secures additional time within which to pay the assessment. A substantial compliance with the statute is necessary to create an express waiver of irregularities and illegalities in the assessment. It is required by the statute to be in writing. We are persuaded that the evidence in this case wholly fails to sustain the defense of an express waiver. No other questions vital to the decision of the case are argued by counsel. It follows that the decree of the court below should be and is affirmed.

Arthur, C. J. and Preston and Vermilion, JJ., concur.

BIG REVENUE IN REFUSE DUMP

The city of Birmingham is now recovering products from its refuse heaps every year A few years ago the worth \$180,000. built a salvage plant at a cost of \$2,000,000. This will be paid for in a few years, after which the profits will be used for the reduction of the city debt, says a report of the committee responsible for the building of the plant. The city also saves \$260,000 annually which it formerly cost to dispose of the refuge. Birmingham has a population of 919,438. The salvage plant last year produced 25 tons of pure tin, 5,000 tons of fat, and several boat loads of fertilizer. Food for pigs and poultry and oil products for candle and soap making also were sold, and the clinkers and stone were used for repairing roads.

14 MILES OF PAVING FOR DUBUQUE

Fourteen miles of streets at an approximate cost of about \$500,000 will be paved here this summer, in the biggest paving project in the history of the city. Forty-one streets are listed for improvements. Contracts for \$435.000 worth on thirty-six streets were awarded by the city council on Feb. 18 to the Rasmussen company, Oshkosh, Wis., and the Uhlrich-Paley company of Dubuque, receiving the bulk of the jobs.

The "no parking" ordinance in the Chicago "loop" area has reduced the time required to drive through that district fifty percent, it was reported at the City Planning Conference.

How Should Water Taste

By John R. Baylis, Principal Sanitary Chemist, Baltimore Water Department

We know that water as ordinarily found, is not pure but contains small amounts of chemical substance in solution and suspension. While the salts occurring in the average water are small in amount, they may impart tastes and odors to it, some of which make it more palatable, while others make it less palatable. In a few localities there are springs and wells where the water possesses a taste pleasing to all. Such waters are not frequently found and constitute a very small per cent of the ground waters of our country. Very few public supplies are satisfactory in taste to all consumers. In many cities the amount expended for spring or bottled water is enormous. There are no large cities where bottled water is not sold if it is available at a reasonable cost. This, of course, applies to places where it is purchased because it is more palatable than the public supply, and not where it is supposed to have medicinal qualities. Part of this may be attributed to a mistaken idea that spring water is naturally better than any other, but in most instances the reason is its palatablness.

The taste we ordinarily find in water is the combination of a variety of tastes produced by various compounds in solution. Some people are more sensitive to certain tastes than others. Compounds that might impart a very noticeable taste to one person might not be detected by another. It is believed that herein lies the reason for such varied opinions as to the palatableness of many waters. By continued use, certain tastes become so familiar they are not noticeable. Such tastes are not very objectionable and possibly would not justify a great expenditure for correction. There are, however, objectionable tastes in many of the waters of our country that will always remain objectionable, unless removed. It is the removal or prevention of these that should receive more consideration from our waterworks officials than heretofore. Changes in our mode of living, and the vast amount expended for things that add comfort and pleasure to our lives, justify the assumption that we are now ready for more rapid progress in improving the palatableness of our drinking water.

The great progress being made in water purification gives us hope that we will have better tasting water in the future. Hardly a city or community is now supplied with water dangerous to health. Nearly all the muddy surface supplies are filtered, and practically all polluted supplies are treated with chlorine or rendered safe by some method, such as storage or filtration. Some cities resort to storage, filtration and chlorinization. We no longer take a drink of water with the fear that it will contain the deadly typhoid germ. So great has been the desire to produce water that is safe from a sanitary standpoint, that its palatableness has been sacrificed in many instances. This is the proper thing to do, should one or the other have to be sacrificed, but water may be made safe without so doing. In some instances, chemical treatment and filtration have not improved the taste; in fact, in a few instances it seems to have made the water worse. This is due to improper treatment and may be easily avoided. Rapid sand filtration is an art developed greatly in advance of the science. Progress is being made, however, in the chemistry and biology of water treatment. and we may expect great improvement in the future. The health authorities have been satisfied as to the sanitary qualities, now we must satisfy the consumer as to palatableness. Not long since, the superintendent of a filter plant made the remark that the water was all right when it left the filter plant and it was not his fault if it got bad before it reached the consumer. It is hoped that this feeling is not shared by many filter operators. A cure for such feelings would be to construct dead-end mains, so that the water for the filter operators will stand in the main at least a week before being used. One instance is recalled which resulted in the use of spring water by the operator. The filter operator should be interested in the water that reaches the consumer and not necessarily in that which leaves the plant. Corrosive water may leave the filter plant very palatable, but reach the consumer quite different. What the consumer wants is water that is pure bacterially, palatable and clear. The great progress in water purification has been confined largely to the purity and clarity. No universal program has been started to improve the palatableness of our waters. Here and there we find an attempt to improve a very bad tasting supply, but very little has been done. Water-works officials usually make the excuse that the objectionable tastes are naturally in the water and there is no way of removing them. The tastes are not naturally in the water when it is in the clouds. There is hardly anything as tastless as pure rain or distilled water. The problem of the future is to see that the pure rain water reaches the consumer with the substance producing desireable taste added and those producing objectionable tastes left out.

The palatableness of Baltimore's water is not all that is desired, but we can say there has been an improvement. This has been brought about by increasing the storage and by improving the efficiency of the purification plant. construction of a larger reservoir required the partial purchase of two small villages that constituted the closest source of pollution. time of storage has been increased from a few weeks to several months, resulting in a marked decrease in the number of bacteria present. sanitary inspector on the watershed has also done much toward the abatement of pollution. Most of the disagreeable tastes in our water since the use of chlorine can be attributed to chlorine. consequently the elimination of pollution and increasing the time of storage has greatly helped to insure a safe water without using an excessive amount of chlorine. Next to chlorine tastes have been those caused by corrosion of the service pipes. Properly treating the water has reduced corrosion to a minimum, so there are practically no tastes from this source. Before the days of chlorine, this was probably the greatest cause of disagreeable tastes, not only in Baltimore, but in most cities having soft water. It seems strange that very little effort has been made to prevent corrosion when it may be done so easily. The savings in repairs to pipes would justify the expenditure in most instances. Baltimore's water may be too soft to make it equal of the most palatable spring waters, but it is possible to improve it to where it will approach them. There is one problem, the solution of which is practical, and when done will make our water excelled by none: it is the control of micro-organisms in the reservoirs. It is believed the results will fully justify the expenditure. In the last two years, micro-organisms have been directly responsible for the annual use of over \$15,000 worth of chemicals more than should have been required; consequently, the expense of controlling their growth may be largely offset.

The causes of objectionable taste in water are quite variable. It may be from some chemical, such as iron, chlorine, or an alkali; from organic compound, such as decaying vegetation; from miscroscopical organisms, corrosion, pollution by trade wastes, chemicals used in treatment, or other sources. Most of these causes may be removed at a reasonable expense.

Salts in solution, such as chlorides and the so-called alkali waters, present a very difficult problem. The best solution in many such cases is probably another supply. The sodium compounds are so soluble that their removal from water on a large scale is very expensive. alkali regions, chemistry and not engineering should be given preference in the selection of a supply. Fortunately there are not a great many supplies affected by sodium compounds to an objectionable extent. It may be best in some localities to depend entirely on rain water for cooking, drinking and a few other uses. A few salts added to make it non-corrosive will produce a very palatable water. The cost is well within the bounds of possibility. It is estimated that the amount expended for water is not over 1 per cent of the average living cost.—possibly not as much for each individual as most men spend for their collars and neckties. If food is over 30 per cent of the living cost, and water is taken into the human system in even greater quantities, we readily see why a tremendous increase in the cost of water would not be imposing an undue burden. If the uses of a certain water were confined to drinking and cooking purposes, 10 gallons per capita per day would be a liberal allowance. At this rate 12 inches of rainfall annually would produce enough water per acre for approximately 100 people, if it all could be collected and saved. A reliance on rain-water is practical in most localities, and at a cost well within the bounds of what might be expended for drinking water.

Iron—The methods of removing iron from water are so well known that it is not necessary to discuss them in this paper. It may be reduced to where it is not objectionable at a very reasonable cost. Where water is filtered, iron is usually removed without making any extra provisions.

Organic Compounds—Very little is known of the organic compounds existing in water. The fact that they have not occured to any objectionable extent in many supplies is partly responsible for the present lack of knowledge on the subject. The vast number of organic compounds, many of which might exist in water, and the difficult methods of determination as compared with the inorganic tests usually conducted on water, have tended to prevent any one from tackling the problem. Water purification has not offered a very attractive field for the organic chemist. Many of us have realized only recently that organic chemistry played a great part in water purification. We are now trying to solve such problems by the hit-or-miss plan. If we do a certain thing and it improves the quality of the water, all is well; but if the organic compounds change the next day and results are not so good, we wonder why. This state of affairs is not going to exist much longer, for we are going to brush the dust off our books on organic chemistry and get busy.

Micro Organisms-What has been said about the lack of knowledge of organic chemistry as applied to water purification applies almost equally to micro-organisms; in fact, micro-organisms and the organic compounds are so intimately related that one can hardly be considered without the other. It is likely that organic life produces most of the changes in the organic compounds of water. Where water is stored, they may become of great importance. The fact that over five million organisms averaging 0.01 mm. in diameter may exist in an ordinary drinking glass full of water without being detected, shows what a vast biological factory for the changing and producing of organic compounds might exist unaware to any one except the biologist. So long as this biological factory confines its

work to the production of inoffensive compounds it is not of serious consideration, but when it produces offensive odors, disagreeable tastes, and possibly poisonous compounds, it becomes of great importance.

Copper sulfate and chlorine, if properly used, are very effective weapons in keeping organic life under control in reservoirs. It is desirable in most instances to kill the vegetable life at its point or origin rather than attempt to kill the higher forms of animal life later on in the reservoirs. Part of the organic compounds in water may be organized by the vegetable organisms from the carbon dioxide and other substances in the water. To kill organic life does not necessarily remove the organic compounds, but may leave the compounds in the water to be used later by other micro-organisms. We thus see the value of preventing the first growths of organic life in reservoirs. The lower forms of vegetable life are also very easily killed by copper sulfate and chlorine, whereas the higher forms of animal life are not. Considerable work has heen done on the control of microscopical growths in reservoirs by a few waterworks with varying degrees of success, but such work has not received the consideration deserved. Many water supplies are badly in need of systematic control of the microscopical growths in their reservoirs. More effective methods may be discovered in the future but there is now no reason why offensive odors and tastes caused from such sources should be tolerated.

Corrosion—Tastes produced by corrosion of the service pipes are confined largely to the softer water. Occasionally a fairly hard water will corrode iron pipe, but it is an exception and not the general rule. Heretofore we have been at a loss to understand why some waters were more corrosive than others, with very little difference in the chemical compounds in solution. The hydrogen-ion concentration now explains the reason. Two waters may have the same alkalinity and one be very corrosive while the other is not. The concentration of certain salts in solution has some effect, but there is almost a direct ratio between corrosion and the hydrogenon concentration of the water when the pH is below about 8.0, notwithstanding the fact that several authors have recently tried to show that the hydrogen-ion concentration within the limits ordinarily found in water has no effect. Protective coatings will form if calcium carbonate is present and the pH is above about 8.0, consequently there is practically no corrosion in many of our supplies, Fairly hard waters may form the protective coating when the pH is slightly below 8.0.

The author spent a few hours recently in a city of over 30,000 inhabitants and was impressed by the number of citizens complaining about the water. A visit to the filtration plant revealed a soft water with a pH of about 6.9 being treated with alum and a slight amount of lime. This produced a pH of approximately 5.0, There were indications that the pH varied from about 4.6 to 6.0 all the time in the filtered water. Repairs to service pipes will eventually cost the consumer more than would be necessary to make this water non-corrosive. The advantage of having satisfied customers would be well worth the expense even if there was no saving in pipes. If this condition is found in many cities, it is time someone is "waking up."

Other Causes-Chlorine is the cause of disagreeable tastes in many cities. The remedy is to improve the quality of the water to the point where an excess is not needed. Trade wastes and chlorine combined produce unpleasant tastes in some supplies. Such wastes as may affect a public water supply should not be allowed to enter it. With the exception of chlorine, tastes produced directly by chemicals used in treatment are rare. It is possible to treat any kind of water with a coagulant and add no disagreeable tastes, nor increase those already present. In most instances coagulation and clarification reduce the tastes. Occasionally, softening plants may apply an overdose of lime and produce a caustic lime taste, but such conditions are due to errors and are not continual.

If water was a competitive commodity like some of our foods, there would be more progress in improving the taste within five years than there will be in thirty under our present procrastinating method of doing things. The water-works are necessarily monoplies, but they are to serve the people. If the people are willing to pay the price, they should have what they want. Very few consumers will make complaints even though conditions are almost intolerable. It is not only the privilege but the duty of

every one to make complaints when conditions are not satisfactory. A tremendous overdose of chlorine in the Baltimore water one day last year produced a very disagreeable taste, yet resulted in complaints from considerably less than one fiftieth of 1 per cent of the consumers. Such condition may give the management a false conception of the wishes of the consumers. When the water is not satisfactory, make complaints. Do not depend on your neighbor; he may be depending on you. "Kick" so hard that it will make the political foundation of the city hall tremble, and cause great uneasiness as to the safety of the structure. Practically all of our foods undergo some preparation to make them more palatable, yet it seems that we expect nature to supply us with an abundance of water pleasing to the taste without any effort on our part to make it more palatable. If you want pure, palatable water, demand in. It can be supplied to you at very reasonable cost. American City.

BETTER ELECTRIC RATES

Owing to the better rates under the new contract with the Iowa Railway and Electric Co. for current the city has been able to make a substantial reduction to its patrons. In the use of electricity for lights and power a reduction has been made of 2 cents per k. w. after 50 k. w. have been consumed per month, and of 5 cents if you use more than 100 k. w. The cooking rate has been fixed at 5 cents per k. w. with a \$2 per month minimum. (Tipton Conservative.)

A ZONING COMMISSION FOR HARLAN

On February 6th a zoning commission of three members was appointed by the city council of Harlan. Mr. Shelby Cullison, a local attorney, was made chairman of the commission.

We are informed by Mr. Cullison that the commission is studying the zoning idea as applied to property development in Harlan, and that the local information readily available is being collected.

The Board of Supervisors of San Francisco has voted that the power of Hetch Hetchy hydroelectric system shall not be sold to a private company, but sold direct to the people.

Buy Heat Units

Department of Interior Issues Bulletin on Sampling Coal

Announcement of the issuance of Bulletin 230, "Analyses of samples of delivered coal collected from July 1, 1915 to January 1, 1922," is made by the Department of the Interior, through the Bureau of Mines.

In recent years the government and other large consumers of coal have appreciated more and more the desirability of determining by chemical analysis and test the character and quality of the coal they purchase, states the author, Ned H. Snyder, fuel engineer, Bureau of Mines. Higher prices for coal point forcibly to the need of giving more study to engine room and boiler room efficiencies and economies; this implies an intimate knowledge of the character and quality of fuel used. Analyses and tests of delivered coal furnish data whereby power plant results can be comprehensively studied and a continuous check maintained on the coal and on the conditions of plant operation.

The Bureau of Mines has been active in promoting the purchase of coal by the Government under specifications, that is, by contracts that make definite requirements regarding the heating value of the coal, expressed in British thermal units, and the composition as shown by proximate analyses. Under many of these specification contracts the bidders guarantee the quality of coal offered, and that guaranteed by the successful bidder becomes the standard of his contract. The deliveries are sampled and analyzed to determine whether the coal is of the quality guaranteed by the contractor, and if it is not, the price to be paid is decreased in proportion; but if the coal is of higher quality, the price is proportionately increased.

The known analyses of coals or the guaranteed analyses offered by the bidders may sometimes be used for determining the award of a contract, but if the coals offered differ widely in characteristics, it may be difficult to determine which would prove the cheapest fuel without data on their relative evaporative efficiencies. Hence, the making of evaporative tests under service conditions may be necessary in order to

determine which coal is particularly adapted for successful and economical use in a certain plant. Once a particular coal is selected, however, regardless of the procedure of determining the award of a contract, then the greatest advantage of the specification method is realized, for it guarantees the purchaser receiving coal of uniform character and quality, thereby insuring the best results in the plant.

The success of the specification method for the purchase of coal and the reliability of analyses now rests largely on sampling. Improper sampling leads to controversies, with resulting condemnation of the specification method in general and of the value of laboratory analyses and tests in particular. In sampling delivered coal the Bureau of Mines follows a definite procedure. A sample of not less than 1,000 pounds is systematically collected by taking equal increments at regular intervals throughout the delivery, while coal is being loaded or unloaded, and crushing and reducing this gross sample by successive stages to a sample of laboratory size.

A series of tables incorporated in the bulletin gives the following data:

The yearly average analyses of coal delivered for government use during the fiscal years 1916-1921. The samples analyzed were collected systematically throughout the entire deliveries by representatives of the various Government departments under directions furnished by the Bureau of Mines.

The analyses of samples collected by samplers of the Bureau of Mines as coal was being loaded into railroad cars at a mine tipple during the period from July 1, 1915, to January 1, 1922. These samples were collected systematically through an entire days run at the mines.

The analyses of samples collected by samplers of the Bureau of mines at tidewater shipping piers as coal was being loaded into vessels. These samples were collected systematically from 4 to 15 railroad cars. The analyses of samples collected by samplers of the Bureau of Mines at the Sewalls Point sampling plant.

Information Bureau

Questions Answered Free for Officers of Members of League of Iowa Municipalities

J. D. T.—Does the clerk of a town council if elected for another term have to put up a new bond? Does the town treasurer have to put up a new bond when he is elected for a second term, or does the old bond carry over?

Where a man is re-elected to any office, he must qualify the same as he qualified in the first place, that is he must be sworn in and give a new bond as the old bond is only for the term for which it was given.

W. C. L.—We have so much trouble every year to collect for the sprinkling of the streets, and the council has instructed me to write to you for some information or advice in the matter. Can the cost of this be assessed to the abutting property the same as for oiling the streets? If so please give us the mode of procedure, Also can the sweeping or flushing of the paved streets be assessed.

The cost of sprinkling the streets cannot be assessed to the abutting property in the way that oiling is at the present time. This also applies to the sweeping and flushing of paved streets as neither of these can be assessed to the abutting property.

A. L. E.—Our town is experiencing some trouble to get park commissioners to qualify and give bonds according to law. The law provides that park commissioners shall give \$1000 bonds which they refuse to do. Has the town council the power to fix a less amount of bonds or let them serve without giving any bonds at all?

If they refuse to qualify how shall the vacancy be filled?

Does the mayor fill the vacancy by appointment until the next election?

Has the town council any authority over the park commissioners?

If your park commissioners who are elected refuse to qualify, the council should fill the vacancies the same as in the case of any other municipal official.

The council does not have any particular authority over the park commissioners as the idea of the law is that the park commissioners shall control the parks.

S. P. J.—Has the mayor of any town the right to appoint the street commissioner. I say

this man appointed by the mayor has to be approved by a majority vote of council has he not?

The council elects the clerk, and the mayor appoints the marshal and street commissioner. The appointment of the clerk by the council need not be approved by the mayor and the appointment of the marshal and street commissioner by the mayor need not be approved by the council. The mayor has nothing to do with the appointment of the clerk, and the council has nothing to do with the appointment of the marshal and street commissioner.

E. B.—Some few years ago this town bought an acre of land about a mile from the town limits to be used as a dumping ground but the people abused the privilege and the trustees have condemned it. Is it compulsory that a town provide a dumping ground.

There is no obligation on the part of the town to provide a dumping ground. The law provides that towns may secure dumping grounds but does not make it compulsory.

C. H. M.—For the past year we have employed a day marshal who was paid by the town out of the general fund and also a night watch who was paid by the town out of the general fund. It appears that a few members of the council are in doubt if they have a right to employ, both, a marshal and a night watch, and pay these men out of the general fund of the town.

The council has a right to make any arrangement it desires in regard to police protection and if they believe it is necessary to have a marshal on duty in the day time and a policeman to act as night watchman, the council have a perfect right to make such arrangement and pay for the same out of the general fund.

C. W. B.—Is it necessary to have an ord-inance passed by council before the public would be allowed to park cars in middle of streets, or can it be done if agreeable to council, without ordinance, and not be liable for damages if any should occur.

The state law provides that cars shall be parked next to the curb and parallel thereto, but that cities and towns may adopt other parking rules. Under this law it would seem that there would be no question but what the council should pass an ordinance providing for parking in the middle of the street. Without such an ordinance such parking would be a violation of the state law.

P. J. T.—Can an ordinance be passed whereby a certain percentage of the property owners in a block can petition the council to have curbing placed in that block and the costs of erection be assessed to abutting property owners.

It is not necessary to have an ordinance to order in curbing along your streets. To order in curbing and tax the cost up to the property you must comply with the paving law. The council can pass a resolution ordering the improvement, thereby complying with the law, and tax the cost up to the abutting property.

W. E. B.—A man is platting out a new addition inside the limits. In regard to grading these streets, will the council have to go ahead with that right away if they accept and sign the plat or can that be done later as the council deems it necessary.

The town would not be compelled to grade the streets in a newly accepted addition until they were ready to do so. The fact is that in many cities the council are requiring the people who plat the additions to grade the streets before they will accept the plats and you have a perfect right to do this if you desire. In any event no one can compel the council to do anything in the way of grading the streets unless the council desires to do so.

J. W. B.—We have a party claiming exemption from paying poll tax on account of being ruptured and saying that he has a life certificate given him by a doctor about 15 years ago. He is an able bodied man as far as doing any kind of hard work is concerned. Does this party have to pay poll tax or does this certificate exempt him?

A doctors certificate issued fifteen years ago would not exempt a man from poll tax at this time. The law provides that where a man claims to be exempt from poll tax, there should be a hearing before the mayor and the mayor is the one to decide whether or not the man is able bodied.

D. H. W.—A question has come up here about the payment of concessions by people having stands on the streets on July 4th. There are some who contend that, in addition to the concession they are required to pay the town,

rthe owners of the property in front of which they have their stand can also charge them. Others claim that the property owners have the first privilege of running the stand, but have no right to collect a fee from anyone else for this privilege. We have been told that there is a state law covering this matter, but have been unable to locate it.

The property owner has no control over the streets. His right and power only extends to property line and the council has entire control of the streets from property line to the property line. Very often the council would give the property owner the first right to run a stand adjacent to the property, but the property owner cannot demand this right, neither has the property owner a right to collect any fee from a person running his stand in the street under permit of the council.

M., M. R.—The town council allowed a bill and the mayor refused to sign the warrant. If the seal is placed upon the warrant, is it payable without the mayor's signature.

There is no provision in the law that a mayor shall sign a warrant but it does provide that a warrant is not good without the town seal attached thereto. The state law places the town seal in the control of the mayor and makes it his duty to attach the seal to all warrants and other papers. While the warrant would be good without the mayor's signature, it would not be good without the town seal. My idea is that this provision is in the law to give the mayor some control over the issuing of warrants.

R. D. S.—Can the town council pass an ordinance fixing a license fee for operating cream stations, and if so, what is the usual amount of said fee, We certify our bond tax levies to the county auditor as water bond, gas bond, etc. and also keep them separate on our books. When the treasurer turns over the tax collections to the town all bond levies are combined under one fund, namely "city bonds." Is it permissable for us to combine these funds on our books and reports?

There is no authority in the law granting cities and towns the right to license cream stations. Your county treasurer is wrong in turning over your money under the one heading of city bonds. He should turn this money over to you as water bond, gas bonds and other bonds and you should keep these bonds separate on your town treasurer's books. Each bond fund should be kept separate.

P. A.—At our own general election we voted a 2 mill band tax, The tax will not be

available till April 1925. What we want to know is if we can take this amount out of the general fund and get the use of it this year and replace it when we get the band tax in April 1925. The outgoing clerk made out the annual statement of the town of Dows to the auditor of state on April 7th 1924, and presented the town with a bill of \$10.00 for the same. Is, this a legal charge against the town or not?

You can anticipate your band tax and certainly cannot take the money out of the general fund at this time and replace it out of the band tax in April 1925. It is the intention of the law that money shall not be spent until it is received or at least will be received during the fiscal year. You had better levy a band tax this summer when you levy your other taxes and finance your band in some other way this year. The state law makes it the duty of the outgoing clerk to prepare the annual statement and in my judgment a bill of ten dollars would not be unreasonable charge for this service.

G. H. O.—The council are considering the question of the construction of a reservoir as an addition to our water works plant, as a precaution any breaking in the pumping machinery whereby the supply of water may be cut off. We have had three or four break downs which have proven very inconvenient to the people. Do we have to submit this question to the people? The estimated cost of the reservoir is placed at \$5000.00. Give us the preliminary proceeding to follow and your construction of the law necessary to an understanding.

It depends on whether it will be necessary for you to issue bonds as to whether or not you must submit the question of building a reservoir to the people. If you have money in the water works fund or any other fund with which to pay for this reservoir, it is not necessary to submit the question to a vote of the people. On the contrary if you must issue bonds it will probably be necessary to submit the proposition to a vote. If you will send me a financial statement of your city, that is, your different debt obligations and the assessed value of your taxable property, and let me know whether or not it is necessary for you to issue bonds to do this work. I can then give you a definite answer to your letter of recent date.

J. W. H.—We have an ordinance prohibiting peddlers from delivering goods until twenty days after they take orders for their goods unless they are paying a license to our town. We have some taking orders one day and delivering next day. What about this?

It is pretty hard to say just who is a peddler and who is an agent. The state law gives cities and towns the power to license peddlers but does not give them the right to license agents.

The chances are that the man who takes orders and delivers them the next day is doing so under the advice of his attorney and the orders are probably taken subject to the approval of some one else besides himself. This plan is followed with the idea of trying to make the man an agent rather than a peddler. Most cities and towns however take the position that these men are really peddlers and charge them a license the same as any one else. So long as you have an ordinance on your statute book. I would enforce it because it is not for the mayor to decide whether a certain ordinance is legal or not but he should enforce the ordinances as he finds them. If the ordinance is not legal the man who is arrested can appeal this case to the district court and have the case tried out on its merits.

But under all of the conditions I advise that you enforce the ordinance just as you find it.

W. H. A.—As soon as you get something final from the Attorney General on assessment of bonds, as per your answer to J. H. M. in April number of the American Municipalities, let me know, as we have a case just like what J. H. M. asks you about and both bank and council are at loss to know just what is the right thing to do.

I had a talk with the Attorney General while in Des Moines this week and all of the men in the Attorney General's office agree that the bank can deduct from its capital, surplus and undivided profits an amount equal to all of the real estate it owns whether it is a bank building, a farm in the state or a farm elsewhere. They all agree that the bank pays taxes on the land and that therefore the value of the land of which they pay taxes should be deducted from the bank assessments.

There seems to be a slight difference of opinion as to whether the real value of the land should be deducted or an amount equal to the investment of the bank in the land. I believe that the safe way and the fair way to both the city and the bank would be to deduct from the assessment of the bank the amount of money they have invested in all real estate owned by

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them.

W. P. S.—Will you kindly advise if we can buy a share in distributing corporation. Situation as follows: High tension line built line to the town several shareholders reside in, put in light and power line to different properties owned by them. High line allowed city to hook on for street lights gratis. Shareholders want to get part of their money back by selling or asking churches, schools and town to take a share in town "distributing company" paying for same and becoming a share holder. Can we as town council buy a share or in any way reimburse this company for the service they furnish by using their wires, poles etc. up to where the town hooks on their line.

I doubt very much if the town can buy a share in a distributing system, but you could buy the entire distributing system. There is certainly no provision in the law that a city or town can go into partnership with anyone else. I would think the best way for you to do if the people now owning the distribution lines in town desire the town to take it over, is for the town to buy the entire distribution system, and then arrange to sell the current to the consumers. I do not know what kind of an arrangement the people who now own the distribution system have with the Iowa Railway and Light Company, but a plan of this kind could be worked out, but I do not believe that it would be legal for the town to take an interest in the business and not control it.

C. C. W.—Please advise me as to your opinion on the matter of buying fire hose. Can fire hose be purchased from the levy of three mills allowed in section 3630 of compiled code? Does section 3631 prohibit the use of the general fund of the city for the purchase of fire hose. Our population is over 3000. This does not refer to the general fire fund does it?

In my opinion the tax allowed by section 3630 of the compiled code authorizes your city to levy a tax of three mills on the dollar for the purpose of maintaining a fire department, but as your city has a population of over three thousand this three mills cannot be used to purchase a fire equipment. Section 3631 provides for a tax for the purchase of fire equipment and the sections following this allows a city to anticipate this levy for the purpose of buying equipment.

The first question to decide is whether or not fire hose is fire equipment under the meaning of section 3631. In my opinion fire hose is not such equipment, as this law was passed for the purpose of allowing cities to purchase motor

equipment for their fire departments. If you use the tax provided for in 3631 buying the fire hose, then I believe you could not use the general fund for this purpose.

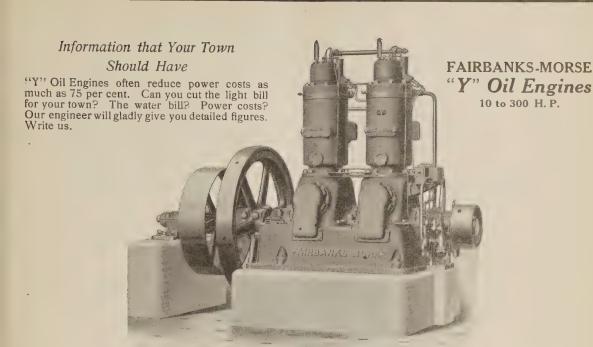
A. G.—We have a man that has a store and office that he rented out, and his residence, all on the same water cut-off, his residence has water meter so has the office but the store has none. The owner of the store refuses to put in a meter so does the party that is in the store, as the renter claims the owner has to furnish the water and the owner claims that there is no agreement that he has to furnish the water, but in order to shut off the water from the store it will also cut off the water from the office who has a meter and also the owner's residence. The office is rented by Telephone Company who has been notified that the party that has store or owner of same refuses to place a meter in store and that they will be shut off with the store if the store will not put in a meter in a few days, but we wish to be sure that the town has the right to cut off this water with residence and the telephone office on the same cut off. Where the latter two have meter, but the store has not.

The chances are that your inquiry of February seventh is answered by your ordinance relating to waterworks, but whether your waterworks covers this particular question or not I believe the town has the right to shut off the water from this property if all of the people will not comply with the rules of the waterworks department. I do not know how this water service is arranged, but it would seem to me that you would be able to cut the water off on this store building without cutting it off from the residence and the office, but if you cannot cut the the store building off alone, cut them all off. I imagine that if you will go over the service carefully you will find some way in which you can cut off this store room without cutting off the others, but if you cannot, go ahead and cut them all off. Notify the owner and tenants that they must arrange for water service so that one of them can be cut off without all of them being cut off. If the property owner and tenants know that you are going to cut this service off they will get busy and figure out some way to comply with your rule that the man having the store install a water meter.

[&]quot;Hey, Ma! Can I go out and play?"

[&]quot;What! With those holes in your trousers?"

[&]quot;Naw, with the kids across the street."



\$8,599.96 Deficit Becomes \$3,925.25 Surplus

"The earnings put back into the business astonished us", writes this Kansas official. They had been facing a deficit of \$8599.96. It looked as if rates would have to be raised almost 50%. Then they bought a "Y"

Engine. "In 1921" he continues, "we operated with steam and in 1922 we used principally one of your type "Y" 200 H. P. Oil Engines. The operating expenses speak for themselves.

RECEIPTS 1921 1922 Water & Light Sales Taxes for Street Lights & \$20,041.00 \$23,246.94 2,184.23 Hydrants 2,151.78 Sales of Labor and Materials 143.78 785.63 225.03 Refunds & Miscellaneous 38 36 2,47.51 575.99 Tap Fees \$22,622.43 \$27,017.82

EAFENDITURES				
Water and Light Operation	\$22749.24	\$13,553.67		
Water & Light Extensions				
& Improvements	8,473.15	9,538.90		
	\$31 ,2 22,39	\$23,092.57		
	ψυ1, ΔΔΔ.09	. ,		
Surplus		3,925.25		
Deficit	\$8,599.96			

PERDERIDITION

A Difference of \$12,525.21 in One Year

If your city shows a deficit in the light, power, or water works department or needs more efficient service; our engineers will be glad to give you detailed information about Fairbanks-Morse "Y" Oil Engine power. Write us.

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Chicago

FAIRBANKS-MORSE

When writing advertisers please mention American Municipalities

Why Badger Water Meters save money—

There are

Badger Disc Meters
Badger Turbine Meters
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Badger Compounding Valves

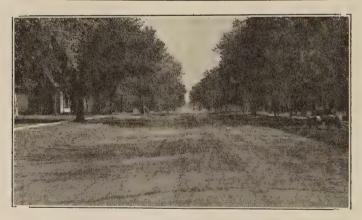
Extra heavy gear trains, careful design and choice of materials to avoid corrosion and eliminate friction as far possible, ample frost protection by means of breakable bottom plates, these are just a few of the points that insure long, accurate, and therefore economical, service on the part of Badger Water Meters.

No careful meter buyer can afford not to investigate the construction and record of Badger Meters.

Badger Meter Manufacturing Co.

111 West Washington Street CHICAGO, ILLINOIS

No matter what the water service is there is a Badger Meter to measure it.



A Street at Garden Grove, Iowa Made Mudless and Dustless with our

SPECIAL ROAD OILS

Over 60 Iowa Cities and Towns use our Road Oils exclusively
We also operate a number of our own equipments, applying these materials for those customers
who desire to contract for having the material properly applied

who desire to contract for having the material properly applied

Prices are now cheaper than they have been for years. The entire cost is only a few cents per square yard, which can be assessed to abutting property if so desired

Have our representatives stop and explain our special materials and methods at no obligations to you.

IOWA ROAD BUILDING COMPANY GOOD BLOCK, DES MOINES, IOWA

THE INSIDE STORY of IOWA POSTER ADVERTISING

Life Without industry is guilt, and industry without art is brutality.—Ruskin.

Lorado Taft, internationally known sculptor, in an interview with Miss Lilias S. Bill, believes Poster Advertising encourages development of artists and that the Poster Advertising Association is working for the betterment of Poster Art. He says that the work the Association members do in cleaning and beautifying cities cannot help but make for better citizenship, while the posters themselves may be an influence in furthering art appreciation and in developing civic taste.

There are hundreds of talented boys and girls in Iowa who in a few years, through the medium of Poster Art, may find expression for their talent.

Poster Panels, exhibiting examples of Poster Art by such artists as Underwood, Coles Phillips, Parrish, and Neysa McMein are an inspiration and a source of study to art students in the Iowa schools.

The encouragement and development of Poster Art means the encouragement and development of an honorable, noble and remunerative profession for Iowa boys and girls. It also means a higher art appreciation among the people of Iowa—Art for Life's sake.

Iowa Poster Advertising Association

J. B. Stewart, Pres. Clinton A. J. Busby, Vice-Pres. Waterloo Fred E. Trainer, Secy.
Ackley

Elbert Payton, Treas. Centerville

The Story of Poster Panels—Not Billboards—There is a Difference.

"IO WA"



The latest, "Corey" Type

Fire Hydrants

Also

Gate Valves

AND

Boxes

Tapping Valves and Sleeves

Your Inquiries Respectfully
Solicited

Iowa Valve Co.

Oskaloosa, Iowa

Ringheim, Wheelock & Co.

DES MOINES, IOWA

MUNICIPAL BONDS

We Buy Iowa School, County, City and Drainage Bonds

You can avoid costly mistakes and delays by using our service.

We furnish accurate legal proceedings which insures you against technical errors and defects in bringing out your bond issues.

Correspondence invited.



NATIONAL CAST IRON PIPE CO.

NORTHERN SALES OFFICE 1231 Peoples Gas Building

CHICAGO, ILLINOIS
WESTERN SALES OFFICE
603-604 Land Bank Building

KANSAS CITY, MO.

Manufacturers of Cast Iron Water and Gas

PIPE

By Sand Cast and deLavaud Processes. Fittings, Flange Pipe and Fittings.

For your Convenience in Getting Quick Delivery, Stocks are Carried at Chicago, and Kansas City

> General Offices and Foundries BIRMINGHAM, ALABAMA

> > Cther Sales Offices

Dallas, Texas

San Francisco, Cal.

How About Your Ordinances

Many cities and towns, especially towns, have not had their ordinances revised for a number of years.

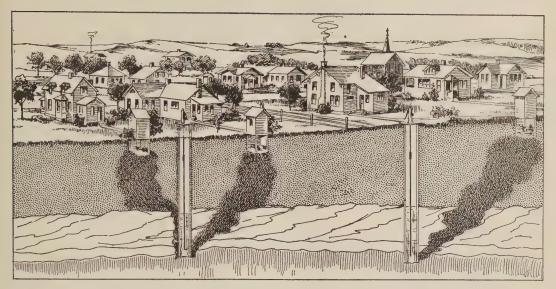
In the meantime many changes have been made in the laws, so that many ordinances are now in conflict with the provisions of the State law.

Would it not be better for you to spend a reasonable sum and know that your ordinances are legal in every particular and up to date in every way.

Write me for terms for preparing you an entire new set of ordinances and know you are safe.

FRANK G. PIERCE
Marshalltown, Iowa

Is This a Picture of Your Town?



Privy Vaults and Cesspools Leaking Into Your Wells.

COUNCILMEN:

Are you going to sit by, and let this condition exist in your town? It can be corrected by the COUNCIL showing the property owner, for how small a cost he can have a Sanitary Sewer System for his home and thus protect the life of his family.

Three-fourths of all town wells examined last year by our State Board of Health show this condition, endangering the health and physical condition of the citizens of our smaller towns. Proven conclusively by the examination statistics of the recent draft boards. These conditions causing typhoid fever, dysentery, hookworm and tuberculosis, have been eliminated in our cities by building sewer systems, which may now be built at small cost.

We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the *State Board of Health* and must be built eventually by every town.

Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

V. D. COBB, Iowa Secretary INDIANOLA, IOWA

"OUR SERVICE IS WITHOUT CHARGE"

Classified Advertisements

Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

WANTED—To buy a single head type electrically operated fire Siren. Address R. J. Camp, city clerk, Shambaugh, Iowa. 424

FOR SALE—1-50 horse Fairbanks Morse Engine, 1 belt size 12 in wide by 38 feet long. These are in good repair and will be sold cheap. Write L. V. Pulver Clerk, Town of Bayard.

FOR SALE—A horse drawn Road Oiler, 500 gal. capacity; in good condition. 1 second hand Fire Bell. Price on application. L. F. Albers, City Clerk, Fort Madison, Iowa.

FOR SALE—Second hand 7½ HP., 110-220 volts, 60 cycle 1 phase 1750 rev, AC Wagner Electric Motor with pulley 5x4½ x1½ and 220 volt starter; will sell for one half of cost, reason for selling it being too small for our work, if interested write C. T. Tollefson, Town Clerk, St. Ansgar, Iowa.

FOR SALE at a Bargain—About 30 Boulevard post globes, 10 and 12 inch, some frosted and some clear. Are changing style of posts. Right price if you can use all of them. Town of Central City, Iowa, R. D. Minehart, Clerk.

FOR SALE—City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable documentfiles 13½ in x 4 in x10¾ in. Cupboard: lock doors and drawers 30in wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

FOR SALE—1 Ingersoll hand air compresser class F R. 1, 10x12 Steam Cylinder 10x10, Air Cylinder. 1 Fairbanks Morse 6 in. belt driven centrifugal pump. 1 Stillwell Heater 100 horse. 1 Cook Pump head size C, cylinder and pipe complete. 500 ft. 3 in. pipe. A quantity of 8in. pipe. City Clerk, Alta, Iowa.

FOR SALE—1 Laudlaw Dunn Gordon compound pump. One million capacity, in good condition. Size stroke 11 x 16 x 10 x 18. C. E. Boblett, Clerk, Perry, Iowa.

FOR SALE—One hundred eighty lineal feet of five inch wrought iron well casing which was taken out of the old well, but in good condition. For sale at twenty-five cents per lineal foot, F. O. B. Ryan. J. E. Cody, Clerk, Ryan, Iowa.

FOR SALE—One two story building located in Fairfield Iowa, built in 1920 out of hollow tile, rents for \$100.00 per month with a five year lease dated April 1st 1922, priced to sell, we need the money. L. F. Frye, Treasurer, West Point, Iowa.

WANTED—Position as manager of a town lighting system. A. V. Landgren, 2437 South 24th Street, Omaha, Nebr. 323

WANTED—An Iron or Copper Chemical Tank of 40 gallon capacity. One of the turn over type, and unmounted. J. Theran Murray, Clerk, Schaller, Iowa.

FOR SALE—1 75 H. P. Meitz Weiss Oil engine. 1 50 H. P. Meitz Weis Oil engine; 1 50 H. P. Meitz Weitz Oil engine; 1 37½ K. V. A. Generator; 1 50 K. V. A. Generator; 1 switchboard; 1 ten thousand gallon undergraund supply tank; 1 six thousand gallon pressure tank used as a supply tank. The above are the principal items of a fully equipped electric lighting plant now offered for sale. Will sell any rart or all of the above. Write, L. N. Roose, Clerk, Charter Oak, lowa.

FOR SALE—1 Tugersall Round Air Compressor, complete, with 35 H. P. Motor and Belt automatic oil pump. 12x7½x 10 type 10-2. In good running order. City Clerk, Tipton, lowa.

POSITION WANTED—Man with technical education and fifteen years practical experience, erecting, operating and managing city light and water plants also surveying for sidewalks, sewers and water mains will be open for position about April 15th. References. Frank Pierce, Marshalltown, Iowa.

WANTED—Single unit chemical fire engine in good condition. Please state price and condition E. H. Edwall, Clerk, Rembrandt, Iowa. 424

STEEPLE-JACK — Painting and Cleaning of Watertowers, Standpipes, Smokestacks and Steeples. Prices right. R. W. Cox, Box 673, Mason .City, Iowa.

WANTED—A good used 25 to 50 HP fuel engine, O. F. Mangold, Councilman, Brighton, Iowa. 224

WANTED—A second hand Electric Siren. State price in first letter, W. S. Shaffer, Town Clerk, Colesburg, Iowa. 224

WANTED—A fire alarm or an Electric Siren. Ben Haselhuln, Town Clerk, Melcher, Iowa. 224

FOR SALE—One 8x10 belt driven plunger pump, in good condition, also one 8x10 geared plunger pump, in good condition and, one Goulds centrifical pump. Address inquiry to A. J. Bryant, City Clerk, Sigourney, Iowa.

FOR SALE—Two deep well pumps, one 20 h. p. gas engine, 20 h. p. A. C. motor, and other pumping equipment. Write Verlin L. Sweeley, town clerk, Adel, Iowa.

FOR SALE—Cheap. Myers Bulldoser Pump Jack, working head from 14 to 20 inch stroke; 2-40 inch Belt Pulleys 6 inch face; good as new. If interested, write to Geo. Harder, Clerk, Keystone, Iowa. 93

WANTED—To communicate with city or town who has or intends to install new cells—and will have the old ones for sale, state all in first letter. C. F. Fitzgerald Town Clerk, Alvord, Iowa,

FOR SALE—Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, lowe

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, Iowa.

How Does Your Pavement Ride?

Vibrolithic—

Constructed in 1923

Illinois

Batavia Chicago (Sheridan Road) Danville East Saint Louis Freeport Geneva Granite City Havana Naperville

Indiana · Connersville Elkhart County (County Highway) Mishawaka

Iowa Atlan

Atlantic Bettendorf Boone Chariton Davenport Des Moines Dubuque Elkader Fairfield Grand Junction Holstein Hull Le Mars Marshalltown Mason City Muscatine Red Oak Valley Junction Wapello

Michigan BirmIngham Dearborn Detroit River Rouge Royal Oak Minnesota · Fergus Falls Hibbing (State H'way) Moorehead Red Wing

Nebraska Madison

North Dakota Hillsboro (Streets and State Highway)

Oklahoma Chickasha Dewey Muskogee Oklahoma County (State Highway) Pawhuska Tulsa

South Dakota
Aberdeen
Madison
Platte
Sioux Falls (State H'wy)
Watertown
Yankton
Wisconsin
Edgerton
Evansville
Green Bay
(State Highway)

Medford
Milwaukee
Neenah
North Fon du Lac
Prairie du Chien
Shiocton (State H'way)
South Milwaukee
Stoughton
Two Rivers
Watertown
Wausau
West Alils

Pronounced "Vī-bro'-lith-ic"

Booklet V-1 describes Vibrolithic more fully. We will be glad to send it on request.

Tax-payers today judge pavement almost solely by the riding qualities and appearance of the surface. If it is free from waves, bumps and cracks, they are pleased.

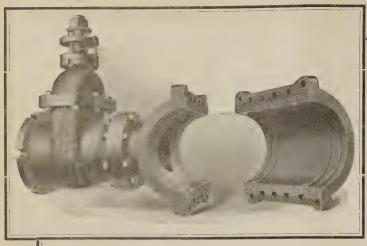
The Vibrolithic method of constructing concrete pavements produces a smooth, neat riding surface which is also skid-proof. Hard stone vibrated into the wearing surface prevents the development of waves and bumps, and provides maximum resistance to wear. The dense concrete resulting from vibration practically eliminates cracking.

BUT, in addition to having a good riding surface, *Vibrolithic* pavements are durable and structurally sound. They possess maximum density which assures adequate beam strength * * * * These *Vibrolithic* qualities insure:

- (1) High load carrying capacity.
- (2) High resistance to heaving and frost action.
- (3) High resistance to absorption of moisture.
- (4) High resistance to damaging effects of expansion and contraction under changes of temperature.

GRANITE TOP SURFACING COMPANY

941 Insurance Exchange Building DES MOINES. IOWA



RENSSELAER TAPPING SLEEVES

Were brought out to meet a growing demand for a BETTER Tapping Sleeve. They were designed to suit the conditions met in actual practice and can be used with all standard makes of tapping machines.

POINTS OF SUPERIORITY

- ¶ Built with two Lead-Rings.
- Require less lead for Calking.
- ¶ Iron Washers not required.
- ¶ Bolting Flanges full length of Sleeve; give strength.
- Greater thickness of Hubs on Ends.
- ¶ Easier to Center on Pipe before pouring Lead.
- ¶ Cost less to Install.

Book No. 11
Gives Full Information

Quotations on Request

HAWKEYE SUPPLY CO., Agents
MASON CITY, IOWA

FIRE HOSE

Hawkeye Standard, Double Jacket

For Fire Departments of Cities. Guaranteed for three years against defects in material and workmanship. Reliable and economical

Hawkeye Standard, Single Jacket

For Fire Departments of small cities and towns. Guaranteed for three years against defects in material and workmanship. The best hose for volunteer fire departments.

Write for Samples and Prices

Municipal Supply Co.

FRANK G. PIERCE, Manager Marshalltown, Iowa

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ALLEN R. BOUDINOT

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Municipal Engineering and Improvement Projects Surveys, Plans, Construction, Consultation

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Specialist in

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Estimates Construction Supervision

Engineering Service Determines the Cost of Your Work Davidson Building SIOUX CITY, IOWA

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Twenty years experience qualifies us as experts on Water Works, Power Plants, Pavements, Sewers and Drainage Work. Careful Engineering saves many expensive errors

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LAFAYETTE HIGGINS & SON Civil and Sanitary Engineers

Des Moines, Iowa 420 Securities Building

Development of Water Supplies, Water Works, Sewers, Sewage Disposal Plants, Pavements



This Steel Tower at Riceville, Iowa formerly sup ported a wooden tank

Wood Tanks

ON

Steel Towers

May be replaced with our modern hemispherical bottom steel tank as shown in the accompanying illustration

Contracts for summer erection should be made now

WRITE FOR PRICES

Pittsburgh-Des Moines Steel Co.

formerly

Des Moines Bridge & Iron Company

947 Tuttle Street, Des Moines, Iowa



Waterworks Systems, Steel Water Towers
Stand Pipes and Waterworks Materials

WRITE FOR OUR GENERAL WATERWORKS BOOKLET NO.

Warrenite Bitulithic

IS A

Superior Pavement

BECAUSE

it is composed of the highest quality of materials so combined as to give maximum stability and wear in a resilient waterproof surface.

Warren Brothers Company through its extensive laboratory and field inspection and research organization has spent more than twenty years in perfecting the selection of the proper materials and the most efficient methods of using them.

Every square yard of pavement constructed is laid under the supervision and with the advice and collaboration of Warren Brothers Company, whose interest in securing the best results is greater than that of any contractor, official or property owner.

More than 97,000,000 square yards have been laid in over 650 cities and municipalities throughout the world, many cities using no other type of pavement, and a large majority awarding repeat contracts for Warrenite Bitulithic year after year.

Send for literature and specifications.

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1648 Otis Building

CHICAGO, ILL.

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Cast Iron Pipe & Fittings

(All Sizes)

From our Stock at

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Any Quantity, One Piece or a Car Load, Shipped immediately. Telephone, Wire or Write

American Cast Iron Pipe Co.

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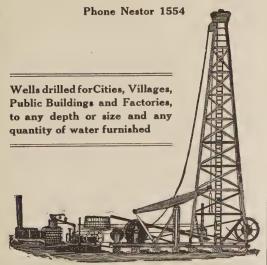
KANSAS CITY, MO.

McGarthy Well Company

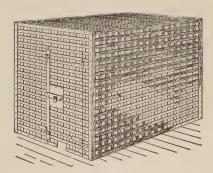
Artesian Well Contractors

670 Eustis St.

St. Paul. Minn.



STEEL CELLS



Many small towns do not have a jail, but often need such a place.

A single steel cell, placed in your town hall, fire station or other place will be all you need.

A steel cell like the above will accomodate two prisoners. It will answer all your needs

Write for catalogue and prices. Also Complete Jail Equipment

Municipal Supply Co.

Marshalltown, Iowa



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ROAD OILS

DURABLE—LASTING—DEPENDABLE

ASPHALTS are produced from Panuco co crude by the Trumble process. They are refined direct to the proper consistencies or "penetrations" for use and do not require mixture, blending or fluxing with other materials either before, during or subsequent to the process of refinement.

A GRADE FOR EVERY PURPOSE

DuRo ASPHALT CEMENTS

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PAVING FILLERS

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HOT OILS
DUST OILS
LIQUID ASPHALT

HOT AND COLD APLICATION

DuRo ASPHALTS and Road Oils comply with all U.S. Government specifications and of all county, state and municipal requirements.

USED AND ENDORSED BY LEADING CITIES AND IMPORTANT HIGHWAY DEPARTMENTS

Specify DuRo For Durability

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NEW ORLEANS

PROMPT SHIPMENT IN TANK CARS, DRUMS OR BARRELS

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Accounting, Paving, Street Cleaning, Sewers and Sewage, Municipal Law, Fire and Police Protection, Public Utilities, Water, Electricity, Gas, Telephones, Taxation, Sanitation, Recreation, Health

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Quality IS Economy

The exceptionally low maintenance cost of

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Water Meters

Proves there is HIGHEST QUALITY Proves there is

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Established 1870 John C. Kelley, President

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BOSTON 287 Atlantic Ave.

LOS ANGELES 251 Central Ave.

SAN FRANCISCO 141 New Montgomery St. Ivy & Baker Sts. 530 Reading Road

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CINCINNATI

Nothing Like It

"Two million six hundred thousand Trident Meters made and sold"
"One million in eight years"
"Two Hundred thirty eight thousand last year."

They may cost you a trifle more than others But in the judgment of the majority of Purchasers, As evidenced by their unprecedented sale, They are worth the difference and "then some"



Neptune Meter Company

New York

Chicago Office, 565 W. Washington Boulevard

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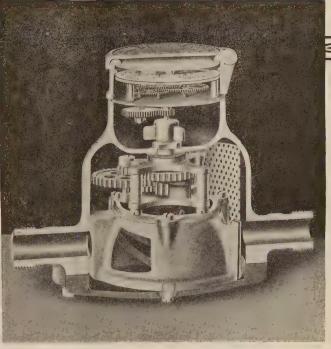
If this should happen to you

WATER REVENUE STIRS COUNCIL

Members Call on Curley for Accounting for Last Two Years

HEALEY WANTS LIGHT ON SEWER EXPENSES

City Councilman James T. Purcell introduced a resolution which was passed unanimously at the council meeting yesterday calling on Mayor Curley to furnish a detailed accounting of revenue derived from the water service in the two years of his administration to date. He water retained, to force water rate.



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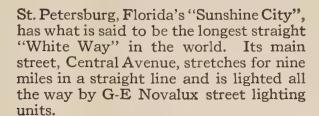
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If it has, you should investigate the costs of treating your dirt, gravel and stone roads with Standard Asphalt Road Oil. It will make excellent roads for you at a comparatively small cost. No special equipment is required to apply it. The old roads are simply brought to the proper gradient and drained, after which Standard Asphalt Road Oil is applied. It will provide a surface capable of withstanding the heaviest traffic to which such a road ordinarily would be subjected.

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In considering the matter of the asphalt road oil it is apparent that oil of the proper grade should be used—it must be sufficiently heavy to bind the road materials together properly, yet not so heavy as to prevent penetration.

The Standard Oil Company (Indiana) maintains a staff of road engineers to assist city and county commissioners and road men to determine the grade of oil most suitable for each road building job. These men devote all their time to the study of means and methods to improve roads, and they are prepared to furnish information and data of great value to road builders who request their suggestions and recommendations. This service always available, is free.

At your request, we shall be pleased to send you our booklets relating to the betterment and permanent improvement of roads through the use of Standard Asphalt Road Oil and Stanolind Paving Asphalt.

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American Municipalities

June, 1924

Vol. 47, No. 3

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, - - \$1.00 per year Advertising rates made known on application

"For forms of governmen let fools contest,
What'er is best administered is best."

Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

The particular problem that Municipal Officials must solve in the next few months is instituting the budget in their local finances.

We publish in this issue a copy of the law that applies to Municipalities and this law should be carefully studied by all officials.

We also publish an explanation of the law and while this is not all we would like it to be it might help a little in getting started.

Hon. F. L. Maytag, former Senator from Jasper County and former mayor of Newton is the director of the budget and he is just the man for the place.

If you are not sure in regard to any of the provisions you should write Mr. Maytag at Des Moines as he is the one to make rulings in regard to the different provisions.

The levies must be certified to the county by August fifteenth and as there are several things that must be done before you certify the levies to the counties you should get busy on this question of the budget at once.

Every town that has a primary road or rather an extension of a primary road in the town should carefully study the article in this issue on primary roads in towns.

Towns and cities of less than twenty-five hundred can secure aid from the county primary road fund to improve the extensions of the primary roads and they should all take advantage of this provision.

Municipal officials should begin to think about the annual convention to be held at Mason City in August.

If there is any particular question you desire to have taken up at this convention write the Secretary at once and arrangements will be made to meet your desires.

A very few of the members have not paid the dues for the current year and if your city or town is one of these you should send in the dues at once.

Study the advertising pages of American Municipalities and you will find much information therein that will be of value to you.

When in the market for material or supplies write the advertisers and you will be pleased with the service they give you.

SPECIAL CHARTER CITIES IN IOWA

Whether sentiment alone is responsible for the retention of their special charters by the cities of Iowa which still hold them, or whether there are real advantages conveyed by this type of charter is a question raised by the historical and descriptive study "The Government of Special Charter Cities in Iowa," by George F. Robeson (Iowa City: State Historical Society of Iowa. 268 p. 352,132 I8a.)

During the period between 1836 and 1858, sixty such special charters were granted to towns, which at the time were the most important in the State, in point of location, if not in populalation. These were the river towns, whose rapid increase of population and local problems of control of docks, ferries, commerce, etc., made necessary a more flexible form of city government than that provided by the general incorporation acts of the period. Each of these charters embodies many of the features of home rule, and while each was designed primarily to furnish a suitable and satisfactory form of government for an individual town, interference by the legislature has, in actual practice, removed most of the distinction between these cities and cities organized under the general incorporation Since 1858 no special charters have been granted. Though the initiative for abandonment of special charters resides in the inhabitants of the communities affected, several of these charters are still in operation.

The author's aim in this study has been to discuss the organization, powers and functions of cities operating under special charters, rather than to consider the administration of such cities. The work is carefully annotated and indexed, and contains in an Appendix the text of some of the charters still in operation.

One of the newest forms of punishment for speeders in Kansas City, Kansas, is compelling the offender to serve for a time as a "traffic officer." The speeders serve out their time by assisting the regular policemen at the busy downtown corners and are impressed with the necessity of careful driving after they see their fellow motorists tangle up traffic a few times.

On May 5th Sioux City let considerable concrete paving at \$1.98 to \$2.03 a yard.

NEW WESTINGHOUSE LIGHTING PUBLICATION

A publication of great value to architects in drawing up plans for ornamental exterior lighting is being distributed by the Westinghouse Electric and Manufacturing Company. The publication which is known as No. C 1674, is entitled, "Ornamental Brackets, Newels and Lanterns." As it has been issued primarily for use in architects' offices, the filing classification of the American Institute of Architects has been inscribed on the cover of the book to facilitate its use as an office reference.

A great number and variety of exterior lighting units, artistically designed for use in the illumination of entrances and facades of public buildings, the gateways of residences and private grounds, and the passage-ways of bridges and viaducts, are included in this comprehensive With the requirements of the publication architect particularly in mind, an excess of descriptive matter has been dispensed with, yet each unit is so adequately presented that its adaptibility for a particular installation can be readily determined. For every type of fixture included in the booklet, a clear photograph and a dimensional drawing are provided, together with a very brief description. Views of actual installations of many of the units are also contained.

These paragraphs from the foreward to the publication indicate the purpose for which it is issued.

"Modern lighting science has made it possible for the architect or illuminating engineer to retain the decorative motifs of the early centuries in combination with the most efficient equipment for distributing light.

"Effectiveness in a lighting unit is a happy combination of lamp, glassware and light control. Efficiency need not be sacrificed to secure an artistic luminaire; in fact, the more ornate designs usually permit the inclusion of scientific equipment as readily as the simpler types.

"The George Cutter Works of the Westinghouse Electric and Manufacturing Company has, for more than thirty years, striven to combine artistry of design with utility of light distribution.

"Our Illuminating Engineering Bureau is at the service of those interested in any form of outdoor or interior lighting."

Primary Roads in Towns

Primary Roads in Towns Improved out of Primary Road Fund

The law as amended by chapters 87 and 88, acts of the 40th General Assembly, substituted for section 35, chapter 327, acts of the 38th general assembly and amended by Code Commissioners Bill No 117 special session 40th general Assembly, is as follows:

Section 2943 compiled code as amended by section 19 Code Commissioners Bill No. 117.

The board of supervisors is hereby given plenary jurisdiction subject to the approval of the council to purchase or condemn right of way therefor and grade, drain, gravel, or hard surface any road or street which is a continuation of the primary road system of the county and which is:

- 1. Within any town, or
- 2. Within any city, including cities acting under special charter, having a population of less than twenty-five hundred, or
- 3. Within that part of any city, including cities acting under special charter, where the nouses or business houses average not less than two hundred (200) feet apart.

The primary road fund shall not be charged with the cost of hard surfacing within the cities and towns specified above in excess of the cost of hard surfacing which is eighteen (18) feet in width.

After the completion of such improvement he same shall be maintained by the city or town and such city or town shall rest under the same obligation of care as to such improvements as is now provided by law for roads and streets generally.

Any such city or town through its council and each county of the state through its board of upervisors are hereby authorized to enter into written agreements subject to the approval of the state Highway Commission to determine the ocation of such improvements within such cities or towns. In case of disagreement the matter hall be referred to the State Highway Comnission whose decision shall be final. The poard of supervisors shall not drain, grade, gravel or hard surface any highway within the limits of

cities other than those specified herein.

Section 2943-a-1 Supplement 1923 Compiled Code.

In the improvement of extensions of the primary road system within cities or towns hereunder, the board of supervisors shall have power to purchase or condemn the necessary right of way therefor, and such condemnation proceedings shall be under the same laws as now apply to condemnation of right of way for roads outside of cities and towns on primary roads.

Section 2943-a-2 Supplement 1923 Compiled Code.

Any town through its council, may, by resolution, make application to the board of supervisors of its county for the grading, graveling, draining or hard surfacing of any road or street in said town or along its limits, which is a continuation of the primary road system of the county by filing the resolution making application therefor with the county auditor. The board of supervisors shall examine said application and shall within thirty days after the filing thereof with the county auditor take action thereon. The board may approve said application in whole or in part, or may wholly reject the same, whereupon the resolution, together with a record of the board's action thereon, shall be forwarded to the state highway commission for final review. The state highway commission shall examine said resolution and the action of the board thereon, and shall within thirty days make final determination thereof. It may approve the application in whole or in part or may wholly reject the same. The town council and the board of supervisors shall be immediately notified of the action taken. The provisions of section six (6) of chapter two hundred thirty-seven (237) acts of the 38th General Assembly (S. CC) (2914) relative to voting on the question of hard surfacing the primary roads shall not apply to improvements made hereunder. Provided, that in counties which have not authorized the hard surfacing of the primary roads and in which the

said primary roads have not all been built to finished grade and drained, the state highway commission shall give preference to such grading and draining projects, and not to exceed (20) per cent of the annual allotment of the primary road funds may be spent on projects within towns hereunder."

Explanation of the Law

Section 2943 Compiled Code as amended by the special session, Code Commission Bill No. 117 gives the board of supervisors power, subject to the approval of the council, to condemn, grade, drain, gravel or hard surface any road which is a continuation of the primary road system within towns and certain class cities.

This is the section that authorizes the board of supervisors to initiate the improvement of a continuation of a primary road within a town. The chances are that few boards of supervisors will take advantage of this section.

Section 2943 a-1 simply gives the supervisors power to condemn land for road purposes but this also would be subject to the approval of the council.

Section 2943 a-2 is the important section as this gives the towns the power to initiate the improvements of primary roads within the towns. This section sets out the procedure to be followed and it will be noticed that the council can initiate the improvement of a continuation of a primary road by paving even through the county has not as a whole voted to hard surface the roads.

The council should pass a resolution applying to the board of supervisors for the improvement of any primary road they desire improved and then if the supervisors turn the proposition down the whole matter is immediately referred to the State Highway Commission and the Commission will probably favor the hard surfacing of any primary roads in towns where the amount of traffic would justify such improvement.

Attached to this statement of the law is the form of resolution that should be adopted to be filed with the board of supervisors, a copy of the clerks certificate to be attached to the resolution, and also a copy of the clerk's minutes in writing up the action on the resolution.

Steps Necessary

1. Make application to the board of supervisors by resolution.

See form of resolution on this page.

2. If supervisors reject the request, then take the matter up with the highway commission, as it is made the duty of the county to send all papers to the highway commission in case the board rejects the application. Get in touch with the highway commission just as soon as the board of supervisors refuse the application.

Form of Resolution

Whereas, Chapter 88. Acts of the 40th General Assembly, provides that any town, through its council, may by resolution make application to the Board of Supervisors for the improvement of any road or street which is a continuation of the primary road system of the county, and,

builte with the County Haditor of said County.
Passed and approved thisday o
192
Mayor of the Town of, Iowa. Attest:
Town Clerk.

Clerks Certificate

The clerk should file a copy of the resolution with the county auditor as clerk of the Board of Supervisors and attach to the resolution a certificate about as follows:

, Iowa:
I,Clerk of the Town of
, Iowa, certify that the
attached resolution was duly passed by the coun-
cil on the day of 192 and
that the following is a correct copy of the min-
utes of the council referring to such resolution.

(Set out copy of minutes which can be in substantially the following form.)

The meeting was called to order by the mayor and the roll being called there were

Present:, Mayor, in the chair, and the following named councilmen:

Absent

	•	•	•	•					۰			۰		,	
:															
											٠				

Councilman...., introduced and read the resolution next hereinafter set out and moved its adoption, seconded by councilman..., and after due consideration thereof by the council the mayor put the question upon the adoption of said resolution, and the roll being called the following named councilmen voted:

Ayes:																								
	٠	•	٠	•	٠	٠	٠	•	•	٠	٠	٠	٠	٠	٠	٠	٠	٠	•		•	۰	٠	٠
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Nays:	٠	٠	•		۰		۰	•	0	-	٠	٠	•	•	e	۰	۰	•	•		•	•		J
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Whereupon the mayor declared and said resolution duly adopted as follows to-wit:

(Set out resolution in full in minute book.)

Mayor Rolph of San Francisco in his annual message recommends among other matters that sidewalks be narrowed in order to permit the widening of the streets to relieve the growing traffic congestion. Traffic Commission has been appointed to deal with all such problems.

LIGHT ON LIGHT PROPOSITION

Greenfield is going to vote on the proposition of issuing \$45,000 in bonds for the purpose of building a new power house and to enlarge the light plant. Greenfield has been operating its own plant since 1890. The city now has \$12,000 in the light fund from the revenue received and all these years the city has been lighting its streets and pumping its water from the city plant. The revenue last year from private users was \$17,485.06 in Greenfield and \$7,423.-84 for juice sold Fontanelle. It is proposed to sell the bonds at home and also proposed to pay the bonds and interest from the revenue of the plant and not to make a cent tax levy and at the same time light the streets and pump the city water. Some style to that kind of management. But Corning can't enjoy that kind of lighting and we pay a merciless corporation over \$2,000 per year for street lighting, pump our water with an oil engine and then the users of the juice pay a higher rate than do the users of Greenfield. We have very good service. I want to say, but we ought to be running our own plant instead of paying a higher rate than do the users af Greenfield, and like the voters said they wanted to over two years ago. Think of Corning making its own juice, selling it to its patrons at a less price than at present, furnish our town street lights and pump our water. That is what Greenfield is doing. We were on a high road to this at one time—but now it is in court and will probably stay there unless we get a Ku Klux Klan bunch to work, or something of the kind. -Corning Free Press. [Greenfield Free Press]

Yes, just think of Bedford paying this same merciless corporation over four thousand dollars every year as a "service charge" for the privilege of buying their juice, to say nothing about their high rates. We predict that the time is not far distant when Bedford will emerge from under this corporation's claws, and launch out with its own power plant.

NOTE—The bond issue carried about five to one.

The per capita water consumption in the Metropolitan District of London for the year ending March 31, 1923 reports, "The Engineer," was 42 gallon. In the five borroughs of the City of New York the per capita water consumption in 1921 was 127 gallons.

Standardizing Tourist Camp Regulations

Strndards Have Been Adopted by a Number of Kansas Cities.

The second conference of city officials called to meet at the City Hall in Topeka on April 18th, was attended by representatives from seven cities. A number of other cities sent letters and telegrams containing their recommendations.

The problem of accomodating tourists in municipal tourist camps has more than doubled each year during the past five years. The regulation and maintenance of tourist camps are becoming expensive propositions. While a majority of the tourists are appreciative of the services offered by the cities, not a few are unappreciative, destructive, and in many cases criminal in their treatment of tourist camp facilties to say nothing of the acts outside the tourist camp during their stay. The tourist camp has become one of the first places searched by police and county peace officers when an automobile has been stolen or other crime committed.

It has been observed by city officials of Kansas who have made a study of the tourist camp problem, that the better class of tourists are willing, in fact, they prefer to patronize a paid tourist camp where a regular attendant, with the powers of a policeman, is on duty for the purpose of maintaining order and keeping the camp in a sanitary and attractive condition.

The tourist camp appears to have two primary purposes. The one of greatest importance to the urban as well as rural communities has not been emphasized to any great extent in this state, namely, the maintenance of a camp for tourists in order that all their camping shall be done in one place for the purpose of sanitation, policing, and safeguarding the health of the community. The second reason for promoting and maintaining tourist camps, which therefore has been of first importance, was for showing due hospitality toward the "stranger within the gates." This has been developed to the extent of commercializing and cities and their civic organizations have competed with other cities in attracting tourists to their gates for the trade they brought with them.

The splendid service given by these free camps has offered opportunities for persons to travel in an old automobile, beg their food and live in the tourists camps. Hundreds and thousands of these individuals and their families are on the road during the tourist season and not infrequently during the winter.

The presence of these individuals in the free city camps is largely responsible for the loss of patronage of the better class of tourists who prefer pay camps where the tourist tramp is not able to stay or the camp is so regulated that he becomes much less objectionable.

It was the consensus of opinion among the city officials in Topeka that any self-respecting tourist who was not willing to pay 50 cents for a permit to camp in a well kept sanitary camp would not be able to spend an appreciable amount with the local merchants, and in many cases there is a question whether the individual can afford to be on the road with a car. This latter point seems quite plausible in view of the number of tourists who beg funds for gasoline, tires, car repairs and food.

Proceedings of the second meeting of city officials for the consideration of standard camp regulations are as follows:

Frank M. Holiday, Mayor of Lawrence, was made chairman of the meeting; John G. Stutz, Secretary of the League, was made secretary.

Harry J. Kaelin, Commissioner of Park and Health, Kansas City, Kansas, made a motion recommending that the cities of Kansas adopt the following as standard city tourist camp services: Water, sanitation facilities, light when possible, and police protection. The motion was seconded and carried by unanimous vote.

Rob't D. McGiffert, Commissioner of Parks and Public Health, Topeka, Kansas, made a motion recommending that all the cities of Kansas which can furnish the standard services provided for in Mr. Kaelin's motion, make a charge of fifty cents per day per car for a permit to camp in the city tourist camp, and that three days be adopted as the reasonable length of time for tourists to use a city tourist camp, with provision that this time limit may be extended for good and sufficient reason. The motion was seconded and carried by unanimous vote.

Mr. Kaelin made a motion that the standard registration form for the registration of tourists, and the standard permit tags issued as a receipt for permit fee and also as a credential in each city, be recommended and adopted, The motion was seconded and carried by unanimous vote. (Chairman Holiday appointed a committee to redraft the uniform registration form and permit tag. The committee was composed of Mr. Stutz, Mr. McGiffert, and Mr. W. C. Wilson, of Pittsburg. The standard registration form and permit tag accompany this article.)

Mr. Stutz made a motion recommending that each city invite such of its neighboring cities as it wishes to exchange the city tourist camp registration forms, to enter into an exchange relationship with them. The motion was seconded and carried by a unanimous vote.

This last recommendation provides that each city may invite such other cities to enter into the exchange relationship as have not already invited it to exchange with them. Discussion on this point tended to show that it would be feasible to report only those tourists to neighboring cities who were abusing tourist camp provisions, or had been found otherwise undesirable guests of the city. However, the police department of each city should receive at least once a day a copy of the registration of tourists in their local camps in order that they may be able to co-operate with neighboring cities or other cities outside the state which report stolen cars, other stolen property, or fugitives from justice. It is possible and very probable that copies of the reports giving the registration and reports on undesirable tourists should be sent to the headquarters of the League of Kansas Municipalities and at these headquarters compiled into a tourist camp registration bulletin which would be sent to all the tourist camps or police departments in the state. If a certain individual enters the state on the east and reports to the mayor of the first city that he is going to such and such

city but that he is out of gasoline, has a bad tire, or some other reason needs \$4.00 or \$5.00, or possibly \$10.00 to assist him in completing his journey, the report on the tourist camp registration bureau would give cities in the middle of the state or the western part of the state advance information on this particular individual if he came to them with the same proposition. If a professional gambler is moving from city to city, living in the city tourist camps, his reputation would soon be broadcasted and he would find himself an unwelcome guest in the cities of Kansas. Persons driving stolen cars or transporting stolen goods, or other contraband, could not use the tourist camps as an underground railway.

It was the sentiment of the city officials attending the conference in Topeka on April 18, that the standardization of services, limit of stay, and charges would make the tourist camp of Kansas more attractive to the better class of tourists; that the reputation of Kansas camps would stimulate tourist trade in the cities and eliminate practically all of the undesirable tramps and criminals who now use the tourist camps.

The registration fee or camping permit fee is not being recommended for the purpose of revenue, but for the purpose of regulation. It is believed by the majority of the city officials attending the conference in Topeka, that the fifty cent charge will about pay the expense of maintaining an attendant at the camp. This person should be a man of descretion with police powers.

The Secretary of the League sent out several requests for information on the usual customs prevailing in the city tourists camps in other states. F. F. Blachly, Secretary of the League of Oklahoma Municipalities, makes the following report: "Usual services; shower, toilet, drinking water, fire places, free wood, table and benches; at one place swings and slides for children; camp free for three days."

W. P. Capes Secretary, State Conference of Mayors, New York, makes the following report: "Only few cities have tourist camps. No particular regulation. No fee charged. Water, toilet and cooking facilities provided.

Frank Pierce, Secretary, Iowa League of Municipalities, makes the following report: "No standard services for tourist camps in this state. Each city tries to out do the other. I think your idea of standard services in tourist camps is a good one and I think we will take this up at the next meeting of the Iowa League. If you adopt any program definitely I shall be glad indeed to receive the same."

Morris B. Lambie, Secretary of the Minnesota League of Municipalities, makes the following report: "No standard practices in Minnesota. Some cities in western part of state offering excellent accomodations; charge twenty-five to fifty cents per car per night; limit of stay varies two to seven days. State of Washington has standard price—advise Douglas Shelor, Manager Auto Club of Washington, Seattle, Washington."

The following letter was received from the secretary-manager of the Iowa Automotive Merchants Association: "We are very much interested in your efforts along the line of a movement designed to produce a somewhat uniform regulation of tourist camps. May we have a copy of the proposed registry sheet and the tag?

"The writer is of the opinion that every city that opens a tourist camp must assume a certain amount of moral responsibility, at least, and therefore he believes that there should be a fee sufficiently large to permit the proper sanitation as well as police protection for the ever increasing army of tourist camp patrons.

"The writer and his family made an extended trip through the east last year. While they did not use the tourist camps, they paid a dollar to the farmers or the residents of the small towns for the privilege of camping on private property.

"In many places, the facilities provided by cities are on quite an elaborate scale. It was our observation that the free camps, no matter how adequate the facilities, were as a rule far from clean and seemingly many of the patrons were of a type one would hardly feel were entitled to be classed as guests of the municipalities.

"We should like to exchange information with you from time to time in this matter."

The League of Kansas Municipalities has not taken any official action on the above recommended standard tourist camp regulations. The matter will be brought up for consideration officially at the annual convention of the League in Emporia. [Kansas Municipalities.]

WATER SUPPLY

The seeming paradoxical statement applying to concrete road construction, namely: "Use as little water as possible for mixing and a great deal for curing," is beginning to receive the recognition which is its due. Highway engineers are specifying the maximum amount of water permitted in the mix and the minimum amount to be available for curing. It is distinctly a move in the right direction, for the amount of water that ought to be used for these operations has an important bearing on the quality of the completed pavement.

The specifications for concrete pavement built by the state of Washington require that "60 per cent of the pipe line supplying water to a mixer using more than one barrel of cement per batch shall have a minimum diameter of 3 inches and remaining 40 per cent shall have a minimum diameter of 2 inches."

To make assurance doubly sure, this clause is added: "The concrete pavement in place and the subgrade shall have prior rights to the supply of water and if it should develop that there is not enough water for all purposes, the concrete mixer shall be shut down until the water needs of the concrete pavement and the subgrade have been cared for."

Washington is not emphasizing unduly the needs for ample water for curing. This clause or a similar one would constitute an improvement to every specification in which it does not appear.—Concrete Highway Magazine.

Some inkling of the real reason "preachers leave home" may be gleaned from the following advertisement that recently appeared in a small town newspaper:

'The ladies of the First Methodist Church have discarded clothes. Call at Mrs. Brown's and look them over. Come early and avoid the crowd."

There was a man in our town
And he was a speedy guy.
He turned the corners on two wheels,
Crossed crossings on the fly.
But yesterday the, extras say,
This wise man saw the light.
His flivver stalled on the railroad track.
Toot, toot! Ding dong! Good-night!

New Iowa Budget Law

In effect May 2, 1924, except Chapter 4 in effect October 1, 1924

CHAPTER I

Sec. 13. The director shall have power, and it is hereby made his duty, to carry out and enforce all the provisions of this act, and to conduct hearings on all matters within his jurisdiction and render decision thereon; he shall adopt rules governing appeals, hearings, and all determinations of questions which shall come before him, and such other rules as he may deem necessary.

Sec. 14. The director shall have power to cause any of the hearings provided for in this act to be held by the state accountant or by any special agent appointed by him for that purpose.

Sec. 15. The director, the state accountant, or any other person appointed by the director to conduct any examination or hearing, shall have power to subpoena witnesses, administer oaths to them, and compel witnesses to produce books, letters, documents, papers, statistics and all other articles deemed essential to a full understanding of the matter under investigation.

Sec. 16. Any witness failing to obey such subpoena shall be guilty of contempt and on report of such failure to the district court of the county in which such refusal occurs, such witness shall be punished for contempt by fine not exceeding one hundred dollars (\$100.00.)

Sec. 17. No witness shall be exempt from testifying to any matter in any proceeding under the provisions of this act or from producing any books, papers, letters, or other documents or articles on the ground that the same would tend to render him criminally liable or to expose him to public ignominy, but such witness shall not be prosecuted for any crime which such testimony or evidence tends to prove or to which the same relates. This section shall not exempt any person from prosecution for perjury.

Sec. 18. When a hearing is held by the director, the state accountant, or a special agent, he shall file in the office of the director the petition and other documents and a written report

of the facts submitted at such hearing and his recommendations in respect thereto. The director shall promptly determine all matters submitted to him directly, or on reports of persons conducting hearings. The decisions of the director shall be final.

CHAPTER 4.

PUBLIC CONTRACTS AND BONDS

Sec. 44. The words "public improvement" as used in this chapter shall mean any building or other construction work to be paid for in whole or in part by the use of funds of any municipality.

The word "municipality" as used in this chapter shall mean county, except in the exercise of its power to make contracts for primary road improvements, city, including those acting under special charter, town, township, school district, state fair board, state board of education, and state board of control.

Sec. 45. Before any municipality shall enter into any contract for any public improvement to cost five thousand dollars (\$5,000) or more, the governing body proposing to make such contract shall adopt proposed plans and specifications and proposed form of contract therefor, fix a time and place for hearing thereon at such municipality affected thereby or other nearby convenient place, and give notice thereof by publication in at least one newspaper of general circulation in such municipality at least ten (10) days before said hearing.

Sec. 46. At such hearing, any person interested may appear and file objections to the proposed plans, specifications or contract for, or cost of such improvement. The governing body of the municipality proposing to enter into such contract shall hear said objections and any evidence for or against the same, and enter of record its decision thereon.

Sec. 47. As hereinafter provided, interested objectors may appeal from such decision to the director by serving notice thereof on the clerk or secretary of such municipality within ten (10)

days after such decision is entered of record, provided that

- 1. For all school districts, except independent school districts in cities and towns and consolidated school districts, and for towns and townships, the amount involved for the whole improvement is five thousand dollars (\$5,000.00) or more.
- 2. For counties, cities of the second class, towns, and for consolidated school districts and for independent school districts in whole or in part in cities of the second class, or towns ten thousand dollars (\$10,000.00) or more.
- 3. For cities of the first class, including cities under special charter, and for school districts in whole or in part in cities of the first class and in cities under special charter, for state institutions and state fair board, twenty-five thousand dollars (\$25,000.00) or more.
- 4. The number of objectors required to perfect an appeal shall be as follows:

Under subsection 1—ten (10.)

Under subsection 2—twenty-five (25.)

Under subsection 3—fifty (50.)

- Sec. 48. In case an appeal is taken, such body shall forthwith certify and submit to the director for examination and review the following:
- 1. A copy of the plans and specifications for such improvement.
 - 2. A copy of the proposed contract.
- 3. An estimate of the cost of such improvement.
- 4. A report of the kind and amount of security proposed to be given for the faithful performance of the contract and the cost of such security.
- 5. A copy of the objections, if any, which have been urged by any taxpayer against the proposed plans, specifications or contract, or the cost of such improvement.
- 6. A separate estimate of the architect's or engineer's fees and cost of supervision.
- 7. A statement of the taxable value of the property within the municipality proposing to make such improvement.
- 8. A statement of the several rates of levy of taxes in such municipality for each fund.
- 9. A detailed statement of the bonded and other indebtedness of such municipality.
- 10. In case of the state institutions and state fair board, the last three requirements may

be omitted.

Sec. 49. The director shall forthwith fix a time and place in the municipality or nearby convenient place for hearing said appeal, and notice of such hearing shall be given by registered mail to the executive officer of the municipality, and to the first five (5) persons whose names appear upon the notice of appeal, at least ten (10) days before the date fixed for such hearing. The hearing on contracts for the state institutions and state fair board shall be at the seat of government.

Sec. 50. At such hearing, the appellants and any other interested person may appear and be heard. The director shall examine, with the aid of competent assistants, the entire record, and if the director shall find that the plans and specifications and form of contract are suitable for the improvement proposed and that it is for the best interests of the municipality and that such improvement can be made within the estimates therefor, the director shall approve the same. Otherwise the director shall recommend such modifications of the plans, specifications, or contract, as in his judgment shall be for the public benefit, and if such modifications are so made, the director shall approve the same. The director shall certify his decision to the body proposing to enter into such contract, whereupon the municipality shall advertise for bids and let the contract subject to the approval of the director who shall at once render his final decision thereon and transmit the same to the municipality.

Sec. 50 al. After any contract for any public improvement has been completed and any five persons interested request it, the director shall examine into the matter as to whether or not the contract has been performed in accordance with its terms, and if on such investigation the director finds that said contract has not been so performed, and so reports to the body letting such contract, it shall at once institute proceedings on the contractor's bond for the purpose of compelling compliance with the contract in all of its provisions.

Sec. 51. If an appeal is taken, no contract for public improvements shall be valid unless the same is finally approved by the director. In no case shall any municipality expend for any public improvement any sum in excess of five per cent

(5%) more than the contract price without the approval of the director.

Sec. 52. If the appeal is from the action of the state board of education, state board of control, or the state fair board, the additional members of the appeal board shall sit with the director and they shall hear the appeal as an appeal board, and in such case the word "director" as used in this chapter shall so far as applicable, be construed to mean such appeal board.

Sec. 53. Witness fees and mileage for witnesses on hearing appeals shall be the same as in the district court; but objectors or appellants shall not be allowed witness fees or mileage. Cost of hearings and appeals shall be paid by the municipality.

Sec. 54. Upon the completion of the improvement the executive officer or governing board of the municipality shall file with the director a verified report showing:

- The location and character of the improvement.
- The total contract price for the completed improvement.
- 3. The total actual cost of the completed improvement.
- 4. By whom if any one, the construction was supervised.
- 5. By whom final inspection was made.
- 6. Whether or not the improvement complies with its contract, plans and specifications.
- 7. Any failure of the contractor to comply with the plans and specifications.

Sec. 55. Before any municipality shall institute proceedings for the issuance of any bonds or other evidence of indebtedness, excepting such bonds or other evidence of indebtedness as have been authorized by a vote of the people of such municipality, and except such bonds or obligations as it may be by law compelled to issue, a notice of such action, including a statement of the amount and purpose of said bonds or other evidence of indebtedness shall be published at least once in a newspaper of general circulation within such municipality at least ten (10) days before the meeting at which it is proposed to issue such bonds.

Sec. 56. At any time before the date fixed for the issuance of such bonds or other evidence of indebtedness, five (5) or more tax-

payers may file a petition in the office of the clerk or secretary of the municipality setting forth their objections thereto.

Sec. 57. Upon the filing of any such petition, the clerk or secretary of any such municipality shall immediately certify a copy thereof, together with such other data as may be necessary in order to present the questions involved, to the director, and upon receipt of such certificate, petition and information, the director shall fix a time and place for the hearing of such matter, which shall be not less than ten (10) or more than thirty (30) days thereafter, and said hearing shall be held in the municipality in which it is proposed to issue such bonds or other evidence of indebtedness, or in some other nearby convenient place fixed by the director. Notice of such hearing shall be given by registered mail to the executive officer of the municipality and to the five (5) persons whose names first appear on the petition at least ten (10) days before the date of such hearing.

Sec. 58. The director shall determine the matter and his decision shall be final. The same shall be certified to the executive officer of the municipality affected. In case there is no appeal, the board of the municipality affected may issue such bonds or other evidence of indebtedness, if legally authorized so to do, in accordance with the proposition published, but in no greater amount. In case of an appeal, the municipality may issue such bonds or other evidence of indebtedness in accordance with the decision of the director.

Sec. 59. Any bonds or other evidence of indebtedness issued contrary to the provisions of this act, and any tax levied or attempted to be levied for the payment of any such bonds or interest thereon shall be null and void.

Sec. 59-a1. This chapter shall take effect and be in force from and after October first, nineteen hundred and twenty-four (1924.)

CHAPTER 5

LOCAL BUDGET LAW

Sec. 60. This chapter shall be known as the 'local budget law.''

As used in this chapter and unless otherwise required by the context:

1. The word "municipality" shall mean the county, city, town, township, school district, road district, and all other public bodies or corporations that have power to levy a tax or certify a tax sum of money to be collected by taxation.

- 2. The words "levying board" shall mean board of supervisors of the county and any other public body or corporation that has power to levy a tax.
- 3. The words "certifying board" shall mean any public body which has the power or duty to certify any tax to be levied or sum of money to be collected by taxation.
- 4. The "fiscal year" shall mean the year ending on the thirteenth day of June, and any other period of twelve (12) months constituting a fiscal period, and ending at any other time.
- 5 "The word "tax" shall mean any general or special tax or any special assessment levied against persons, property or business, for public purposes as prescribed by law.
- 6. The words "current year" shall mean the year in progress.
- Sec. 61. No municipality shall certify or levy in any year any tax or assessment on property subject to the taxation unless and until the following estimates have been made, filed, and considered, as hereinafter provided:
- 1. The amount of income thereof for the several funds from sources other than taxation.
- 2. The amount proposed to be raised by taxation.
- 3. The amount proposed to be expended in each and every fund and for each and every general purpose during the fiscal year next ensuing.
- 4. A comparison of such amounts so proposed to be expended with the amounts expended for like purposes for the two (2) preceding years.
- Sec. 62. All such estimates and any other estimates required by law shall be made and filed a sufficient length of time in advance of any regular or special meeting of the certifying board or levying board, as the case may be, at which tax levies are authorized to be made to permit publication, discussion, and consideration thereof and action thereon as hereinafter provided.
- Sec. 63. The estimates herein required shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the director.
 - See. 64. Each municipality may include

in the estimate herein required an estimate for emergency or other expenditure which amount cannot reasonably be foreseen at the time the estimates are made, and such emergency fund shall be used for no other purpose.

Sec. 65. The amount of the difference between the receipts estimated from all sources other than taxation and the estimated expenditures, for all purposes, including the estimates for emergency expenditures, shall be the estimated amount to be raised by taxation upon the assessable property within the municipality for the next ensuing fiscal year. The estimate shall show the number of dollars of taxation for each thousand dollars of the assessed value of all proerty that is assessed.

Sec. 66. Each municipality shall file with the secretary or clerk thereof the estimates required to be made in the five preceding sections at least twenty (20) days before the date fixed by law for certifying the same to the levying board and shall forthwith fix a date for a hearing thereon, and shall publish such estimates with a notice of the time when and the place where such hearings shall be held at least ten (10) days before the hearing. For the county and any municipality embraced within the county seat, such publication shall be in an official newspaper published at the county seat. For a municipality outside the county seat in which one or more newspapers are published, such publication shall also be in one of such newspapers.

Sec. 67. The verified proof of the publication of such notice shall be filed in the office of the county auditor and preserved by him. No levy shall be valid unless and until such notice is published and filed.

Sec. 68. The certifying board or the levying board, as the case may be, shall meet at the time and place designated in said notice, at which meeting any person would be subject to such tax levy, shall be heard in favor of or against the same or any part thereof.

Sec. 69. After the hearing has been concluded, the certifying board shall enter of record its decision, also the amount of the separate appropriations for each fund in the manner and form prescribed by the director and shall certify the same to the levying board, which board shall enter upon the current assessment and tax roll the amount of taxes which it finds shall be levied

for the ensuing fiscal year in each municipality for which it makes the tax levy. Any board which has the power to levy a tax without the same first being certified to it, shall follow the same procedure for hearings as in hereinbefore required of certifying boards.

Sec. 70. No greater tax than that so entered upon the record shall be levied or collected for the municipality proposing such tax for the purpose or purposes indicated; and thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections 64 and 71.

Sec. 71. No tax shall be levied by any municipality in excess of the estimates published and five per cent (5%) additional, except such taxes as are approved by a vote of the people, but in no case shall any tax levy be in excess of any limitation imposed thereon now or hereafter by the constitution and laws of the state.

Sec. 72. The cost of publishing the notices and estimates required by this chapter, and the actual and necessary expense of preparing the budget, shall be paid out of the general funds of each municipality respectively.

Sec. 73. The local budget of the various municipalities shall be certified by the chairman of the certifying board or the levying board, as ne case may be, in duplicate to the county auditor not later than the fifteenth (15) day of August each year on blanks prescribed by the director, and according to rules and instructions which shall be furnished all certifying and levying boards in printed form by said director. One copy of said budget shall be retained on file in his office by the county auditor, and the other shall be certified by him to the director.

Sec. 74. Before forwarding copies of local budgets to the director, the county auditor shall prepare a summary of each budget, showing the condition of the various funds for the fiscal year, including the budgets adopted as herein provided. Said summary shall be printed as a part of the annual financial report of the county auditor, and one copy shall be certified by him to the director.

Sec. 75. At the time required by law the levying board shall spread the tax rates necessary to produce the amount required for the various funds of the municipality as certified by the cer-

tifying board, for the next succeeding year, as shown in the approved budget in the manner provided by law. One copy of said rates shall be certified to the director.

Sec. 76. The several tax rates and levies of the municipalities thus determined and certified in the manner provided in the preceding sections, except such as are authorized by a vote of the people, shall stand as the tax rates and levies of said municipality for the ensuing year for the purposes set out in the budget.

Sec. 77. Subject to the provisions of any law relating to the municipalities, when the necessity for maintaining any fund of the municipality has ceased so exist, and a balance remains in said fund, the certifying board or levying board, as the case may be, shall so declare by resolution, and upon such declaration, such balance shall forthwith be transferred to the general or contingent fund of the municipality, unless other provisions have been made in creating such fund in which such balance remains.

Sec. 78. Subject to the provisions of the law relating to municipalities, and upon the approval of the director, it shall be lawful to transfer money from one fund of a municipality to another fund thereof, and the certifying board or levying board, as the case may be, shall provide that money so transferred must be returned to the fund from which it was transferred as soon as may be, provided, that it shall not be necessary to return to the emergency fund or to any other fund no longer required, any moneys transferred therefrom to any other fund.

Sec. 79. The director shall exercise general supervision over the certifying boards and levying boards of all municipalities with respect to budgets and shall prescribe for them all necessary rules, instructions, forms, and schedules. The best methods of accountancy and statistical statements shall be used in compiling and tabulating all data required by this act.

Sec. 80. Failure on the part of any public official to perform any of the duties prescribed in this act shall constitute a misdemeanor, and shall be sufficient grounds for removal from office.

Sec. 81. The director shall make an annual report to the governor setting forth the essential facts and statistical data regarding his administration of this act.

Explanation of The Budget Law

City and Town Officials must Comply with new Law

Section 73 of the law provides that all taxes shall be certified by the councils by August 15 of each year.

"All assessments and taxes of every kind and nature levied by the council, except as otherwise provided by law, shall be certified by the clerk on or before the first Monday in September to the county auditor and by him placed on the tax list for the current year."

In order to comply with this provision of the law, municipal officials must consider and decide on their tax levies before the fifteenth of each August, because that is the last date on which regular taxes may be certified to the county auditor. The words in the above law, "except as otherwise provided by law," refers to a number of special funds in regard to which the law provides that these taxes may be levied for several years under certain conditions. The improvement fund that can be levied is not to exceed ten years and the fire equipment fund are examples of these funds. If the improvement fund has been levied for ten years and certified up to the county auditor it would not of course be necessary to certify the tax again each year, but usually the tax is levied by the council each year and certified even though it has already been certified in accordance with the special assessment law.

Section 80 of the budget law provides that the failure on the part of any public official to perform any of the duties prescribed in the budget law shall constitute a misdemeanor and shall be sufficient ground for removal from office. This is a pretty strong penalty provision and makes it necessary for city and town councils to carefully and fully comply with the budget law in levying taxes for this year in order to escape these penalties.

In order to be in a position to comply with the budget law councils and municipal officials should at once begin to make the necessary estimates and computations.

Section 61 provides that no municipality

shall certify or levy any tax or assessment on property subject to taxation until the following estimates have been made, filed, considered and published.

The amount of income for the several funds from sources other than taxation. This would include all licenses, poll taxes, and fines and other income that would be credited to the general fund. All income from the waterworks and electric light plant that would be credited to the water fund and electric fund; and any other receipts that might be received in any particular fund.

The amount proposed to be raised by taxation. In order to figure this amount it would be necesseary to secure the taxable value of all property subject to general taxation and figure out the amount that the proposed tax levy in the different funds would produce.

The amount proposed to be expended in each fund for every general purpose during the next fiscal year. The fiscal year of cities and towns begins April first of each year, so that the estimate of moneys expended would be for the year beginning April first 1925. The taxes that are levied this fall are paid in next year and are for the purpose of paying the expenses of that fiscal year.

A comparison of the amounts proposed to be expended with the amounts expended for the two preceding years. In order to comply with this provision it will be necessary to go back and make a tabulation of the amounts expended in the different funds for the years ending April 1, 924 and April 1, 1923.

Section 62 provides that all these estimates shall be made and filed a sufficient length of time in advance so as to permit publication, discussion, consideration and action before the time fixed for the certifying of the taxes.

Section 65 provides that the difference between the estimated expenditures and the amount received from all sources other than taxation shall be the amount that shall be raised by taxation. In other words the council does not levy, for example, ten mills for the general fund and then decide what this ten mills shall be expended for, but rather they first estimate all of the expenditures to be made from the general fund, estimates of the amounts received for purposes other than taxes, and the difference between these funds fixes the amount of the levy to be made in the general fund.

Section 66 provides that all of these estimates shall be made at least twenty days before the date fixed by law for the certifying of the same by the levying board, which in cities and towns is fixed by section 73 of the law as the fifteenth of August of each year. Section 66 further provides that the municipality or the council shall fix a date for the hearing on the estimates filed. A notice shall be given at least ten days before the time set for hearing. In each county seat this notice shall be published in an official newspaper. In a municipality outside of the county seat, the notice shall be published in an official paper published at the county seat and if a newspaper is published in the municipality, in one newspaper published in the municipality. There is no specific provision in the law for publication where there is no newspaper published in the town, but in conformity with other provisions of the law publication by posting in three public places would probably be necessary, but this publication by posting should be made the same as if a newspaper were published in the town and the publication made therein.

This publication of the estimated budget is very important because section 67 of the law provides that a verified proof of the publication of this notice shall be filed with the county auditor and further provides that no levy shall be valid until such notice is published and filed. Cities and towns must very carefully comply with these provisions or the chances are that in many cities and towns the tax levy attempted to be made this fall will not be valid.

Section 68 provides that at the time fixed in the notice above, any person who would be subject to such levy shall be heard in favor or against the same or any part thereof.

Section 69 provides that after the hearing, the certifying board shall enter or record its decision and the amount of the separate appropriations for each fund in the manner and form prescribed

by the directors.

Section 73 provides that the local budget shall be certified by the chairman of the certifying board in duplicate to the county auditor not later than the fifteenth day of August of each year. This means that in the case of cities and towns, the mayor as chairman of the council which is the certifying board, shall certify the budgets to the county auditor not later than the fifteenth day of August.

This local budget law provides that the director of the budget shall furnish forms and instructions to local officials and these will probably be in the hands of municipal officials in the near future.

The director of the budget is preparing a pamphlet containing forms and explanatory notes and expects these to be in the hands of the county auditors by June fifteenth. By July 1st it will certainly be possible to secure these pamphlets by applying to the county auditor.

POLICEWOMEN

The examination will be held throughout the country on May 21. It is to fill vacancies in the Metropolitan Police Department, Washington, D. C., at an entrance salary of \$1,460 a year, plus the increase of \$20. a month granted by Congress.

The duties of the position consist of protective and preventive welfare work, surveys, and investigations of causes making for delinquency, and direct measures toward their removal; corrective measures in connection with probations, commitment to institutions, and social hygiene and psychopathic work; and general police work in the detection and prevention of crime, the patrol of streets, parks, and other public places, the securing of evidence and the prosecution of offenders.

Competitors will be rated on a thesis to be written in the examination room, practical questions pertaining to the duties of the position, and education, training, experience, and fitness.

The city of Manchester, Iowa, by a vote of 1,086 to 583 voted to remain under the general law rather than adopt the commission plan. Manchester is operated under the council plan but the council employs a man who has many of the powers of a city manager.

Resurfacing Methods

By N. M. Lidell, before Illinois Municipal League of Danville

It is sometimes more important to know what not to do than it is to know what to do. Accordingly, I will confine my remarks principally to the mistakes to be guarded against when resurfacing city streets. I will speak from my experience as city engineer in resurfacing some of the streets in Danville, which city has been accredited with doing more resurfacing in the past two or three years than any city of its size in the state.

Danville has used four types of resurfacing. I would not give any of the types credit as being the best, because they have all served their purpose very well. In the late fall of 1921 Oakwood Avenue in Vermilion Heights from the bridge to the railroad, the main thorofare west out of Danville. was resurfaced with asphalt filled brick. The base was old macadam. This street gets all of the west traffic in and out of Danville, The pavement is in practically as good condition as the day it was opened to traffic and unless subjected to unusually heavy loads will probably stand for twenty years. From the city limits for about two miles west an old brick road was resurfaced with a cement grout filled brick pavement laid on a thin mortar base. The base was just thick enough to bring the old pavement to a substantially even surface. This pavement was laid in the summer of 1917 and stands the traffic very well, but is showing some signs of wear, probably due to the fact that the bricks are held rigidly in concrete and naturally do not get the cushion effect of a sand and asphalt filled pavement.

SHEET ASPHALT

Sheet asphalt is the type probably the most extensively used in our city, that being the kind which was put down during the last two or three years. There has been approximately 87 thousand square yards laid with the exception of the surface of the Victory Bridge this pavement has given, to date, almost entire satisfaction.

About eighteen years ago there was constructed on North Vermilion Street about a mile

and a half of what is known as Warrenite. For the first ten years of the life of this pavement, I am led to believe that there was practically no maintenance. Since then so much brick was hauled over it to the State road north and there being no restriction on loads and wagon tire width, the result was that the base failed in places which naturally let the soft surface sink. Two or three times in the last eight years this pavement has been patched in spots and once entirely resurfaced with a heavy thin coat of bitumen, but at a very reasonable cost. Except for a few places where the base will have to be renewed, this pavement with another thin coat of bitumen should last a good many more years.

Asphalt, if properly mixed and placed and, at a fair price, is the nearest to being the ideal type for resurfacing old worn out brick pavements. When I say asphalt, I mean any of the various types constructed with asphalt as the cement, such as Sheet Asphalt, Warrenite, Willite, or Asphaltic Concrete.

FUNDAMENTALS OF CONSTRUCTION

In the construction of any of these types there are a few essentials that must be carefully watched if the work is to be durable.

Asphalt resurfacing requires no grading and very little subgrading before being laid. The surface of the old brick or block pavement only needs to be swept clean or washed, and if washed, it must be allowed to become dry. All the depressions in the old pavement should be filled with a bituminous binder, thoroughly rolled or tamped so that the surface will be parallel to and substantially equal to the thickness of the resurfacing below the proposed finished surface of the street.

The penetration of the asphalt is the most vital point. There are enough tests tabulated to enable anyone to determine the proper penetration for any climate so that the pavement will not be too hard in cold weather, nor to soft in hot weather. The mixture at the plant should

(Continued on page 108)

Information Bureau

Questions Answered Free for Officers of Members of League of Iowa Municipalities

R. J. C.—We are again in an argument on the poll tax law revised by the 40th general assembly wherein a man was notified on the 8th day of April 1924 to pay poll tax for this year, he claims he is not subject to a poll tax this year as he became 45 years of age the 15th day of February this year. I maintain that he is subject to pay this tax because he did not become 45 years of age until after the first of February 1924.

I had a talk with the county auditor and he stated that the state checkers were there and they did not think he was subject to this tax this year, he asked that I secure the Attorney General's

ruling on this.

The Attorney General has ruled that if a man was not forty-five years old on the first day of January of this year, he is subject to poll tax and on the contrary that a man becoming twenty-one years of age any time during the year is also subject to poll tax. I note that you say that state checkers do not believe he is subject to tax, but their opinion is no better than yours, and the only opinion that would be of value is that of the Attorney General and this would only be of value in that we are supposed to take his opinion until a certain question is passed on by the courts. I do not believe that the man you have in mind would contest a case in the courts and if a county auditor believes that another rule than this is in force. I suggest that he try to get a written opinion from the Attorney General. A verbal opinion from any one amounts to nothing, but if the Attorney General would give a written opinion along the lines outlined by your county auditor. I would say that we should say that we should follow this opinion until the courts rule otherwise.

J. J. K.—Our town has no ordinance whereby we can control gasoline filling stations, but the general feeling is that there should be none on the main business street of the town.

Now we have had one on the end of this street for the last eight or ten years and this has not interfered very much with the general convenience, but now comes an oil company and puts in a filling station in the middle of this main business street, near the walk and curb of course, against the wishes of the town council and the

business people located near by.

What we would like to know is if we have to stand for anything like that and if not how to go about it to get them off this street. If an ordinance is necessary could it be drawn up so that the old filling station that had been there for years can remain, as it does not interfere as already stated above.

The state law gives cities and towns control over inflamable oils and this of course carries with it the control of filling stations. If you desire you can prohibit filling stations in certain parts or town and allow them in other parts, or you can pass an ordinance that filling stations must be located on a lot in a certain way or in fact pass any kind of a reasonable ordinance that you desire. There is no question but what the council has absolute control over oils and thereby over filling stations.

C. L. W.—In case of a person falling on an icy sidewalk and is injured. Is the town responsible and if so to what extent?

It is almost impossible to say what the courts will decide in regard to any particular case of injury on icy sidewalks. The result of such a case depends almost entirely on how the case is presented to the court and if the person you speak of brings suit against the town I advise that you employ a competent attorney in your county and contest the same,

It depends somewhat on how long the ice has been allowed to remain on the sidewalk as to whether the court will give a person damages for an injury thereon. In a general way, if the sidewalk is covered with sleet and the town does not have time to protect against this condition the court will not hold the town liable for damages. In some cases where the sleet or slush has been allowed to remain on the sidewalk and become rutted and irregular and a person then is injured on the walk, the courts are apt to hold the town liable.

You will see that it is almost impossible to give an opinion without having all the facts surrounding the case very much in detail. If you could give me all of these facts I could then

probably give you a more intelligent answer.

Z. G. H.—This town has for several years past appointed three members of the town council as a "poor relief committee," the mayor making the appointment each year. This committee has always provided food and fuel to worthy applicants, the bills for same being OK'd by them and forwarded to the board of supervisors for payment. The supervisors have also been liberal in extending permanent relief to worthy persons when the same had been reccommended by our local poor relief committee. We have an ordinance providing for the appointment of several committees, among them being a Poor Relief Committee. We are now informed by a member of the Board of Supervisors that said board had just appointed a local citizen "Poor Relief Commissioner," to whom all applications for poor relief should be made and that the town council have no right to appoint such a committee. They pay the commissioner \$10. per month. We read in the 1897 code, sec. 574; sec. 2230 and 2235 of the 1913 supplement that the supervisors have power to appoint a "Commissioner of the Poor" in cities. We find nothing giving them authority to make such an appointment in towns. ask the question, have they such authority? realize of course that the supervisors will refuse to pay any bill contracted by our committee for immediate relief of the poor.

Under the law the town or the council has no responsibility for looking after the poor. This is the duty of the county and the board of supervisors, and the board of supervisors can of course handle this in any way they desire. So long as the supervisors desire to handle this by the appointment of a poor relief commissioner, I certainly advise that the council do nothing in regard to it and that the poor committee of the council have nothing to do with these matters but refer all such matters to the poor relief commissioner.

B. W. B.—At one of the caucuses held in this city one of the present justices of the peace was nominated as a candidate for councilman. Will you kindly advise if this party is eligible to accept this office and still remain a Justice of the Peace.

The supreme court a few years ago held that a man could not hold the office of mayor and justice of the peace at the same time, but I do not think this question has been decided on in regard to councilmen. The mayor and a justice of the peace would exercise similar functions, and this is the reason that the supreme court held that the same man could not hold two offices,

but a councilman would not have any of the powers of a justice of the peace and I am inclined to think that a man can hold the office of justice of the peace and councilman at the same time

J. G. G.—I am sending you a statement of the receipts that the town treasurer gets from the county treasurer as our share of the taxes. I would like some information as you will notice that there is several different funds and I want to know as to whether the treasurer in listing these funds on his books if he can list them under three funds as follows: corporation or general fund, light fund, and street fund, as every thing that we pay out comes out of these three funds, so please advise me as to whether we can do this or not.

And also in case our street fund runs short this spring before we get our money for taxes from the county treasurer can we check out of the general fund until our receipts gets in from the treasurer and then transfer this amount from the street fund back to the general fund.

In my opinion it would not be correct for you to combine these funds under two or three heads, but a separate account should be kept with each one of these funds. A special fund can be used only for the purpose for which it is levied and in order to comply with this law it is necessary to keep the funds separate and have warrants on the different funds for the bills that should be paid out of these funds.

I have always held that the general fund can be used for any purpose and if you have a surplus in the general fund, you can pay for any work done for the town out of this general fund.

W. D. G.—Our ordinance says, the clerk is "elected" by the council, the "code" says, the clerk is "appointed" by the council. Our clerk insists that the code is wrong, insomuch as several persons cannot make appointment. If, however the council ballots on a clerk, I insist that the mayor has a vote in as much as he is a part of the council, and if a clerk is elected by the ballot, by councilmen only, the mayor has no voice in who shall be clerk. Webster says "appointment" means to fix, determine, to obtain, to settle.

You are a little wrong in one thing, in thinking that the mayor is a member of the council. Under the present law the mayor is not a member of the council, but a presiding officer of the council, and has the right to vote only in case of tie. I am quite sure that the clerk should be elected or appointed by the council, by vote and it requires a vote of three members of the



The Road to Home

Though written faithfully, his letters from home seemed to have had a way of arriving at his hotel in one city just after he had left for the next—and of never catching up.

Three weeks passed—business conferences, long night journeyings on sleepers, more conferences—with all too little news from home.

Then he turned eastward. In his hotel room in Chicago he still seemed a long way from that fireside in a New York suburb. He reached for the telephone—asked for his home number.

The bell tinkled cheerfully. His

wife's voice greeted him. Its tone and inflection told him all was right with the world. She hardly needed to say, "Yes, they are well—dancing right here by the telephone. . . . Father and mother came yesterday. Oh, we'll be glad to see you!"

* * * *

Across the breadth of a continent the telephone is ready to carry your greetings with all the conviction of the human voice. Used for social or business purposes, "long distance" does more than communicate. It projects you—thought, mood, personality—to the person to whom you talk.

AMERICAN TELEPHONE AND TELEGRAPH COMPANY
AND ASSOCIATED COMPANIES

BELL SYSTEM

One Policy, One System, Universal Service

council to elect or appoint the clerk. If only four members of the council were present and two of them would vote for one man and two of them would vote for another, then, I think the mayor could vote for either one of these two men and settle the tie, but this would be only in case that the mayor would have a vote for the clerk.

Resurfacing Methods

(Continued from page 104) be carefully checked to assure the proper amount of aggregates. Too much asphalt will make the pavement subject to ruts and too much stone dust will tend to produce unnecessary cracks. After the mixture is hauled to the job care should be taken to see that it is not dumped in place, but is dumped on a piece of sheet iron and shoveled into place. If this is not done the material at the bottom of the pile will get more compression than the rest and the pavement under traffic will soon become uneven.

Do not try to resurface a worthless base. Do not try to make the mistake that our city did when they used closed specifications. Be sure to use standard specifications. If standard specifications are used competition will be keen and a city can get bids on the work that are more in proportion to the actual value of the work.

Great care should be taken in the heating of the mixture and heating of the tamping and smoothing irons, because burnt asphalt is practically worthless. It will crack, pulverize and blow away. IN RESIDENCE DISTRICTS

Another type that has been used to some extent is Tarvia penetrated macadam. this has not been strictly a resurfacing proposition, still the surface has been applied to a new macadam base in much the same manner as resurfacing an old base. For the residence districts where a quiet pavement at a reasonable cost has been wanted, this type has served its purpose very well. This type has not needed the rigid inspection that some of the other types have required because there are not as many different operations in the construction of it. What would otherwise be a good Tarvia macadam pavement can be utterly spoiled by a little neglect in the finishing. The application of the seal coat of about one-half gallon of tar to the square yard can make or unmake a good job of resurfacing according to the amount that is applied. If too much is applied it will goze out. blister and run in hot weather, and this is a very undesirable feature in any pavement.

DONT'S

In summing up, let me emphasize a few dont's.

Don't try to resurface an uneven base without first filling up and tamping the depressions.

Don't use anything but Standard Specifications.

Don't burn your asphalt or tar.

Don't use a penetration that is not suited to your climatic conditions, and last but not least.

Don't try to resurface if you don't have any surface.



SOMETHING NEW

BI-LATERAL ROCKER LUG COUPLINGS

They will ride over obstructions like on wheels

They will not catch on the street, curb, pavement, walk, steps, ladder rungs or on the roof, gliding smoothly over all obstructions without catching and jerking those taking a stream of water into a building. No spring or contraptions to get out of order.

They cannot cut or snag the jackets when the hose is pulled off the apparatus at a fire.

They will load easier and the oblong lugs will not injure the hose jackets with which they come in contact when loaded on apparatus.

They will prevent the pulling off of several folds of hose at one time when laying a line for a fire.

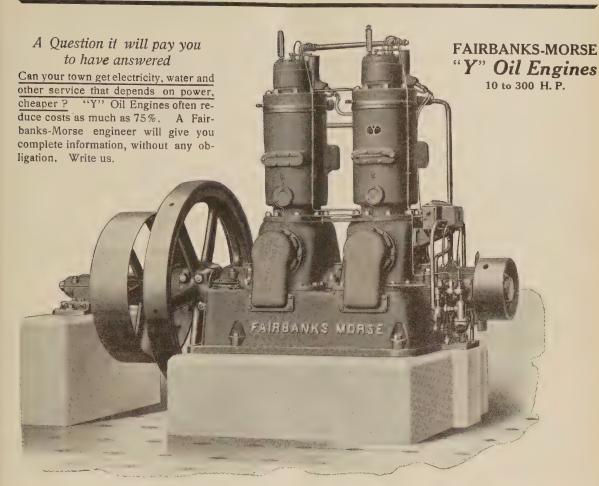
The oblong lugs form a better hold to loosen and tighten by hand and will not injure the hand of the fireman.

You can hammer these lugs to your heart's content. You cannot break them. We furnish a combination spanner that fits the old round lug, and the rocker lug, so that using both in a department causes no inconvenience.

BI-LATERAL FIRE HOSE CO.

SEND FOR 9 South Clinton St. CHICAGO

SEND FOR CATALOG



"Y" Engines save them over \$50,000 per year

Hundreds of towns and cities are saving their residents thousands of dollars each year by using "Y" Oil Engine power for pumping and generating electricity.

"We are using Fairbanks-Morse Engines in connection with our Filter Plant, as well as in our light plant," writes this city commission to the mayor of a neighboring Texas city. "We recently purchased 2 additional 200 h.p. engines. Both were Fairbanks-Morse, so you can see just what we think of these economical engines.

"We consider you will be doing your people a great fa-

vor by making the installation of a Municipal Light Plant Our Municipal lighting business has been a success from the start, although we had some red-hot competition. Based on the present amount paid for electricity by the citizens of ----- we are saving them over fifty thousand dollars per year."

"Y" Oil Engines are dependable, simple power unitseasy to operate and they have none of the parts that usually make engine trouble. They use the cheaper grades of crude and fuel oil. Our Engineers will be glad to give you full information.

Fairbanks-Morse & Co. Manufacturers Chicago

FAIRBANKS-MORSE

Why Badger Water Meters save money—

There are
Badger Disc Meters
Badger Turbine Meters
Badger Compound Meters
Badger Compounding Valves

Extra heavy gear trains, careful design and choice of materials to avoid corrosion and eliminate friction as far possible, ample frost protection by means of breakable bottom plates, these are just a few of the points that insure long, accurate, and therefore economical, service on the part of Badger Water Meters.

No careful meter buyer can afford not to investigate the construction and record of Badger Meters.

Badger Meter Manufacturing Co.

111 West Washington Street CHICAGO, ILLINOIS

No matter what the water service is there is a Badger Meter to measure it.



A Street at Garden Grove, Iowa Made Mudless and Dustless with our

SPECIAL ROAD OILS

Over 60 Iowa Cities and Towns use our Road Oils exclusively
We also operate a number of our own equipments, applying these materials for those customers
who desire to contract for having the material properly applied

Prices are now cheaper than they have been for years. The entire cost is only a few cents per square yard, which can be assessed to abutting property if so desired

Have our representatives stop and explain our special materials and methods at no obligations to you.

IOWA ROAD BUILDING COMPANY GOOD BLOCK, DES MOINES, IOWA

THE INSIDE STORY IOWA POSTER ADVERTISING

What City Officials of Iowa Say—

"CITY OF CENTERVILLE OFFICE OF THE MAYOR

"I can truthfully say that the Poster Boards in Centerville and surrounding country under the supervision of Elbert Payton, are attractive and kept up in first-class shape. I do not know of a better way to advertise, or beautify unsightly places.

(Signed) JIM KELLER, Mayor."

"Office of

A. N. ALBERSON. MAYOR

Washington, Iowa.

"Mr. Simpson of the Poster Advertising Company in this city has helped us materially in maintaining our slogan, Washington - Cleanest City in Iowa.

"He has removed unsightly places and made them attractive. He not only keeps his panels in good order, but the grounds around them, without any suggestion on our part, to our entire satisfaction.

(Signed) A. N. ALBERSON"

"City of Sheldon, Iowa.

O'Brien County

"To Whom It May Concern:

"This is to certify that I am and have been for years personally acquainted with Mr. H. B. Manderscheid, who is at the head of the Manderscheid Poster Advertising Company of this City.

"In this line of work he certainly has made great improvements on vacant lots and spaces wherever he has erected his Poster Panels, keeping the weeds down, leveling up the ground, and keeping the Poster Panels painted and in good repair.

"I have heard nothing but good reports of his work and dealings; and I believe the Poster Panels erected and maintained as they are in this City, and those I have observed outside, add to any site they may choose.

> (Signed) SCOTT MARTIN, City Clerk of the City of Sheldon, Iowa."

Iowa Poster Advertising Association

J. B. Stewart, Pres. Clinton

Waterloo

A. J. Busby, Vice-Pres. Fred E. Trainer, Secy. Elbert Payton, Treas.

Centerville

The Story of Poster Panels—Not Billboards—There is a Difference.

"IO WA"



The latest' "Corey" Type

Fire Hydrants

Gate Valves

Boxes

Tapping
Valves
and Sleeves

Your Inquiries Respectfully
Solicited

Iowa Valve Co.

Oskaloosa, Iowa

Warrenite Bitulithic Superior Pavement

BECAUSE

it is composed of the highest quality of materials so combined as to give maximum stability and wear in a resilient waterproof surface.

Warren Brothers Company through its extensive laboratory and field inspection and research organization has spent more than twenty years in perfecting the selection of the proper materials and the most efficient methods of using them.

Every square yard of pavement constructed is laid under the supervision and with the advice and collaboration of Warren Brothers Company, whose interest in securing the best results is greater than that of any contractor, official or property owner.

More than 97,000,000 square yards have been laid in over 650 cities and municipalities throughout the world, many cities using no other type of pavement, and a large majority awarding repeat contracts for Warrenite Bitulithic year after year.

Send for literature and specifications.

Warren Brothers Company

1648 Otis Building

CHICAGO, ILL.



28 WELLS UNDER AIR LIFT

At Ogden, Utah, 28 wells in Ogden Canyon, are pumped by the Sullivan Air Lift. 16 of them are shown in this picture.

A central power plant of 5 Sullivan 14x10 motor-driven compressors furnish air, and flexible control.

Careful development increased the natural flow from a possible 190 gal. per min. (per 6-in well.) to 500 gal. per min.

The story is in "Mine and Quarry" No. 42-I. Ask for a copy.

The Sullivan Air Lift Secures

- More water from the same wells than by any other means.
- means.

 2. Water more agreeable to the taste, due to aeration.
- Greater simplicity and reliability. There are no moving parts in the well.
 The apparatus is always in working order, and is
- not affected by mud or sand.

 5. Efficiency kept up to the original point at all times,
- and after long use.

 7. A scattered group of wells can be pumped as read-

ily as one well.

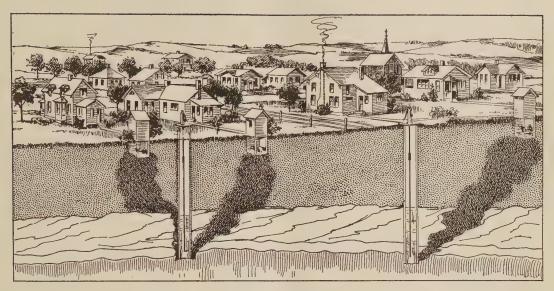
Ask for New Bulletin No. 71-HI.

SULLIVAN MACHINERY COMPANY

433 Peoples Gas Bldg., Chicago

2815 Grand Ave., Des Moines

Is This a Picture of Your Town?



Privy Vaults and Cesspools Leaking Into Your Wells.

COUNCILMEN:

Are you going to sit by, and let this condition exist in your town? It can be corrected by the COUNCIL showing the property owner, for how small a cost he can have a Sanitary Sewer System for his home and thus protect the life of his family.

Three-fourths of all town wells examined last year by our State Board of Health show this condition, endangering the health and physical condition of the citizens of our smaller towns. Proven conclusively by the examination statistics of the recent draft boards. These conditions causing typhoid fever, dysentery, hookworm and tuberculosis, have been eliminated in our cities by building sewer systems, which may now be built at small cost.

We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the *State Board of Health* and must be built eventually by every town.

Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

V. D. COBB, Iowa Secretary INDIANOLA, IOWA

"OUR SERVICE IS WITHOUT CHARGE"

Classified Advertisements

Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

FOR SALE—A 50 ft. steel tower in good shape. capable of sustaining 50,000 gal. of water. Town of Schaller, Mamie E. Currie, Clerk.

FOR SALE—Power Pump 150 gal. per minute Mfg. by Union Steam Pump Co. Battle Creek, Mich. If interested write G. E. Scoles, Town Clerk, Nashua, Iowa. 624

FOR SALE—Second hand air pressure water tank, 8' Diameter x 36' Long. Capacity about 9,500 gals. This iron tank is in good condition and will stand inspection. The town agrees to remove same from building for convenience of purchaser. Sealed bids will be received not later than July 1st, 1924. Write R. C. McKiernan, town clerk, Ainsworth, Iowa, Box 82.

WANTED—One used 30-40 ft extension ladder, one 10-12 ft roof ladder and one hand drawn 40 gal, chemical tank complete. Address T. C. Burson, Clerk, Thurman, Iowa. 624

WANTED—To buy a single head type electrically operated fire Siren. Address R. J. Camp, city clerk, Shambaugh, Iowa. 424

FOR SALE—1-50 horse Fairbanks Morse Engine, 1 belt size 12 in wide by 38 feet long. These are in good repair and will be sold cheap. Write L. V. Pulver Clerk, Town of Bayard.

FOR SALE—A horse drawn Road Oiler, 500 gal. capacity; in good condition. 1 second hand Fire Bell. Price on application. L. F. Albers, City Clerk, Fort Madison, Iowa.

FOR SALE—Second hand 7½ HP., 110-220 volts, 60 cycle 1 phase 1750 rev, AC Wagner Electric Motor with pulley $5x4 \frac{1}{2} x1 \frac{9}{10}$ and 220 volt starter; will sell for one half of cost, reason for selling it being too small for our work, if interested write C. T. Tollefson, Town Clerk, St. Ansgar, Iowa.

FOR SALE—City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable documentfiles 13½ in x 4 in x10¾ in. Cupboard: lock doors and drawers 30in. wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

FOR SALE—1 Laudlaw Dunn Gordon compound pump. One million capacity, in good condition. Size stroke 11 x 16 x 10 x 18. C. E. Boblett, Clerk, Perry, Iowa.

FOR SALE—One hundred eighty lineal feet of five inch wrought iron well casing which was taken out of the old well, but in good condition. For sale at twenty-five cents per lineal foot, F. O. B. Ryan. J. E. Cody, Clerk, Ryan, Iowa.

FOR SALE—One two story building located in Fairfield Iowa, built in 1920 out of hollow tile, rents for \$100.00 per month with a five year lease dated April 1st 1922, priced to sell, we need the money. L. F. Frye, Treasurer, West Point, Iowa.

FOR SALE—1 75H. P. Meitz Weiss Oil engine. 150 H. P. Meitz Weis Oil engine; 150 H. P. Meitz Weitz Oil engine; 150 H. P. Meitz Weitz Oil engine; 137½ K. V. A. Generator; 150 K. V. A. Generator; 1 switchboard; 1 ten thousand gallon undergraund supply tank; 1 six thousand gallon pressure tank used as a supply tank. The above are the principal items of a fully equipped electric lighting plant now offered for sale. Will sell any rart or all of the above. Write, L. N. Roose, Clerk, Charter Oak, Iowa.

FOR SALE—1 Tugersall Round Air Compressor, complete, with 35 H. P. Motor and Belt automatic oil pump. 12x7½x 10 type 10-2. In good running order. City Clerk, Tipton, lowa.

POSITION WANTED—Man with technical education and fifteen years practical experience, erecting, operating and managing city light and water plants also surveying for sidewalks, sewers and water mains will be open for position about April 15th. References. Frank Pierce, Marshalltown, Iowa.

WANTED—Single unit chemical fire engine in good condition. Please state price and condition E. H. Edwall, Clerk, Rembrandt, Iowa. 424

STEEPLE-JACK — Painting and Cleaning of Watertowers, Standpipes, Smokestacks and Steeples. Prices right. R. W. Cox, Box 673, Mason .City, Iowa. 324

WANTED—A good used 25 to 50 HP fuel engine, O. F. Mangold, Councilman, Brighton, Iowa. 224

WANTED—A second hand Electric Siren. State price in first letter, W. S. Shaffer, Town Clerk, Colesburg, Iowa.

WANTED—A fire alarm or an Electric Siren. Ben Haselhuln, Town Clerk, Melcher, Iowa. 224

FOR SALE—One 8x10 belt driven plunger pump, in good condition, also one 8x10 geared plunger pump, in good condition and, one Goulds centrifical pump. Address inquiry to A. J. Bryant, City Clerk, Sigourney, Iowa.

FOR SALE—Two deep well pumps, one 20 h. p. gas engine, 20 h. p. A. C. motor, and other pumping equipment. Write Verlin L. Sweeley, town clerk, Adel, Iowa.

FOR SALE—Cheap. Myers Bulldoser Pump Jack, working head from 14 to 20 inch stroke; 2-40 inch Belt Pulleys 6 inch face; good as new. If interested, write to Geo. Harder, Clerk, Keystone, Iowa. 93

WANTED—To communicate with city or town who has or intends to install new cells—and will have the old ones for sale, state all in first letter. C. F. Fitzgerald Town Clerk, Alvord, Iowa,

FOR SALE—Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, lowa.

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, Iowa.

How Does Your Pavement Ride?

Vibrolithic-

Constructed in 1923

Illinois
Batavia
Chicago
(Sheridan Road)
Danville
East Saint Louis
Freeport
Geneva
Granite City
Havana
Naperville

diana Connersville Elkhart County (County Highway) Mishawaka

Atlantic
Bettendorf
Boone
Chariton
Davenport
Des Moines
Dubuque
Elkader
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Grand Junction
Holstein
Hull
Le Mars
Marshalltown
Mason City
Muscatine
Red Oak
Sloan
Valley Junction
Wapello

Michigan
Birmlngham
Dearborn
Detroit
River Rouge
Royal Oak

Minnesota Fergus Falls Hibbing (State H'way) Moorehead Red Wing

Nebraska Madison

North Dakota Hillsboro (Streets and State Highway)

Oklahoma Chickasha Dewey Muskogee Oklahoma County (State Highway) Pawhuska Tulsa

South Dakota
Aberdeen
Madison
Platte
Sioux Falls (State H'wy)
Watertown
Yankton
Wisconsin
Edgerton
Evansville
Green Bay
(State Highway)
Medford
Milwaukee
Neenah
North Fon du Lac
Prairie du Chien
Shiocton (State H'way)
South Milwaukee
Stoughton

Two Rivers Watertown

West Alils

Wausau

Pronounced "VT-bro'-lith-ic"

Booklet V-1 describes Vibrolithic more fully. We will be glad to send it on request.

Tax-payers today judge pavement almost solely by the riding qualities and appearance of the surface. If it is free from waves, bumps and cracks, they are pleased.

The Vibrolithic method of constructing concrete pavements produces a smooth, neat riding surface which is also skid-proof. Hard stone vibrated into the wearing surface prevents the development of waves and bumps, and provides maximum resistance to wear. The dense concrete resulting from vibration practically eliminates cracking.

BUT, in addition to having a good riding surface, *Vibrolithic* pavements are durable and structurally sound. They possess maximum density which assures adequate beam strength * * * *

These *Vibrolithic* qualities insure:

- (1) High load carrying capacity.
- (2) High resistance to heaving and frost action.
- (3) High resistance to absorption of moisture.
- (4) High resistance to damaging effects of expansion and contraction under changes of temperature.

GRANITE TOP SURFACING COMPANY

941 Insurance Exchange Building DES MOINES, IOWA

SAFETY FIRST

Corey Fire Hydrants are Quicker Corey Fire Hysrants are Safer

The drip valve in the Corey Fire Hydrant prevents freezing. No accident or damage to property can occur with this hydrant by flooding the streets where runaway teams or other accidents break off or otherwise injure the hydrant standpipe.

It will be seen that the hydrant gate is held in position when shut, by the four arms forming braces between the back of the hydrant and the seat. Consequently the hydrant barrel can be broken completely off above the ground but the valve remains tight.

Hawkeye Supply Company

Mason City, Iowa



Hawkeye Standard, Double Jacket

For Fire Departments of Cities. Guaranteed for three years against defects in material and workmanship. Reliable and economical

Hawkeye Standard, Single Jacket

For Fire Departments of small cities and towns. Guaranteed for three years against defects in material and workmanship. The best hose for volunteer fire departments.

Write for Samples and Prices

Municipal Supply Co.

FRANK G. PIERCE, Manager Marshalltown, Iowa

How About Your Ordinances

Many cities and towns, especially towns, have not had their ordinances revised for a number of years.

In the meantime many changes have been made in the laws, so that many ordinances are now in conflict with the provisions of the State law.

Would it not be better for you to spend a reasonable sum and know that your ordinances are legal in every particular and up to date in every way.

Write me for terms for preparing you an entire new set of ordinances and know you are safe.

FRANK G. PIERCE
Marshalltown, Iowa

DIRECTORY OF ENGINEERS

ARTHUR L. MULLERGREN

CONSULTING ENGINEER

Specialist in

Electric Light, Power and Water Pumping

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THEODORE S. DELAY Mem. Am. Soc. C. E. Mem. Am. Soc. Mun. Imp

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SEWERS, WATER WORKS, PAVING

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Cedar Rapids, Iowa

HENNINGSON ENGINEERING CO.

SKILLED MUNICIPAL IMPROVEMENT **ENGINEERS**

Sewerage, Waterworks, Electtric Light Plants, Paving, Public Buildings, Plans, Specifications, Appraisals, Reports, etc.

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OMAHA, NEBRASKA

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30 Years Experience in Public Improvements

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TOWN PLANNING

WEBSTER CITY, IOWA

NATHAN B. BARBER

CIVIL AND MUNICIPAL ENGINEER

Sewers, Waterworks, Paving

228 1/4 West Fourth St.

WATERLOO, IOWA

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LAFE HIGGINS, Jr. Civil Engineer

LAFAYETTE HIGGINS & SON Civil and Sanitary Engineers

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Des Moines, Iowa

Development of Water Supplies, Water Works, Sewers, Sewage Disposal Plants, Pavements

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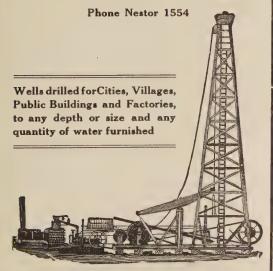
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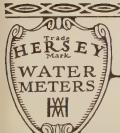
HERSEY 5/8 inch Disc Water Meter No. 76321 was recently protested by a property owner in a certain eastern city.* Records showed that this meter was manufactured in 1899 and had been reset June 2, 1916.

The suspected meter was removed from the owner's basement and placed on the city's Mueller Meter Tester. The scales registered 62.50 lbs. or 100% accurate when one cubic foot of water was passed through the meter with a 5% inch and a 1/16 inch stream discharge. No repairs had ever been made on this meter. Careful inspection showed that the meter was good for still more years of service.

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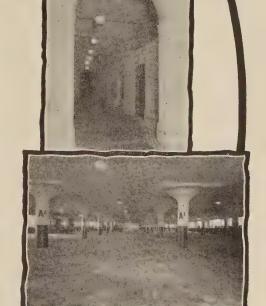
EFFICIENT illumination beautifying the structure—this briefly describes the results of Westinghouse lighting equipment at the New Center Market House, Newark, N. J.

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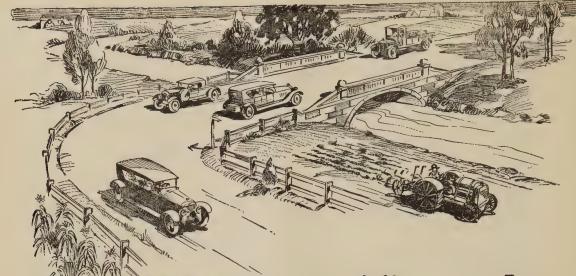
- 45 Santiago Brackets with octagonal lanterns on sides and rear.
- 40 Arcadian Newels outline the edges of the roof
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- 27 Arcadian Senior Posts light the Farmer's Market.
- 224 Commerce Brackets illuminates the vast interior.
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American Municipalities

July, 1924

Vol. 47, No. 4

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, - - \$1.00 per year Advertising rates made known on application

"For forms of governmen let fools contest, What'er is best administered is best." Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

Municipal officials should remember that they must have their budget prepared and their tax levys ready to certify by August fifteenth.

Section 66 of the budget law provides that a number of estimates shall be filed with the clerk at least twenty days before August fifteenth and for a hearing at least ten days before August fifteenth.

In order to comply with the law as to estimates and notices every city and town should at once start on the work of preparing the budget.

Remember that unless you comply with this law your tax levys will not be legal so arrange to comply with it in time.

Most of the poll tax ordinances have been in force several years and do not comply with the state law as it now is.

In this issue is published a poll tax ordinance that complies with the law.

Look over your own ordinance and see if it is legal and if not pass one that is.

The twenty seventh annual convention of the League of Iowa Municipalities will be held at Mason City August 19-20-21.

Every member city and town in the state should have at least one delegate at this oonvention.

The state law provides that each municipality may pay the expenses of two delegates to the conventions of the League.

Arrange now to have your municipality represented.

The people and officials of Mason City are making arrangements to entertain the delegates and all attending will have a pleasant time as well as an instructive one.

The decision in regard to the purchase of electric current published in this issue refers particularly to purchase of current for resale.

While there might be a question under this decision as to whether or not a council could contract for street lights without an election this point is made clear in the new code.

LEAGUE MEMBERSHIP

The officers of the League are making a special effort just now to increase the membership. There are nearly nine hundred cities and towns in Iowa and about six hundred of them now belong to the League. Four counties are one hundred per cent in membership, every city and town being a member. These one hundred per cent counties are Allamakee, Des Moines, O'Brien and Osceola. Eleven counties are one hundred per cent lacking one. counties and the towns that are not members are, Blackhawk, Castle Hill, Buena Vista, Trusdale; Cedar, Stanwood, Clinton, Camanche; Davis, Floris; Floyd, Rockford; Fremont, Sidney; Kussouth, Ledyard; Lyon, Little Rock: Monroe Foster; Sioux, Matlock; and Story, Gilbert. Every one of these counties should be brought into the one hundred per cent class during the next month. Which will be the first one.

PAY FOR STREET LIGHTS

Toledo is the only one of 15 large American municipalities in which abutting property owners are required to share in street lighting expense.

A survey of street lighting methods and systems has been made by the Commission of Publicity and Efficiency at the request of Councilman Dowd in connection with a proposed ordinance which would increase the property owners' share of the street lighting cost.

Under the present ordinance, the property owners and the city pay 50-50 for lights in the overhead system known as residential district lighting and the property owners pay 85 per cent and the city 15 per cent for "white way" or underground system lighting. [Toledo City Journal]

TOLEDO STANDARDS FOR POLICEMEN

Salary: \$125.00 for first six months; \$137.50 for second six months, \$150.00 thereafter

Pension after 20 years of service, or physical disability.

Applicants must be between twenty-two and thirty-five years of age, but such age limit shall be increased one year for each three years that any applicant shall have previously served in the patrol service, but in no case shall such applicant exceed thirty-seven years in age. Shall possess weight and measurments in accordance with the table given below and must be physically qualified to sustain the labors and exposures of the police service, as determined by the medical examiner appointed by the commission.

			Min. Circ.
M	edium	Maximum	of Chest
Height	Weight	Weight	Quiescent
5 ft. 9in.	150 lbs.	190 lbs.	35 in.
5 ft. 10 in.	155 lbs.	195 lbs.	35 ½ in.
5 ft. 11in.	160 lbs	200 lbs.	36 in.
6 ft.	165 lbs.	205 lbs.	3 6 in
6 ft. 1 in.	170 lbs.	210 lbs.	37 in.
6 ft. 2 in.	175 lbs.	215 lbs.	37½ in.
6 ft. 3 in.	180 lbs.	220 lbs.	38 in.
6 ft. 4 in.	185 lbs.	225 lbs.	38½ in.
XX7 · 1			

Weight at variance with the above schedule will be rejected. Applicants shall have a chest expansion of not less than three inches. Applicants must have resided in the city at least ten years.

Annual Convention

League of Iowa Municipalities
Twenty-Seventh Annual Convention

Mason City August 19-20-21, 1924

A Graduate Course in Municipal Government

Poll Tax

New Law Makes New Ordinance Necessary

The law in regard to poll tax in cities and towns has been changed in the last few years and every municipality that desires to collect a poll tax should adopt a new ordinance if they have not already done so.

The law in regard to poll tax is as follows: Section 4035 and 4036 Compiled Code, are repealed by chapter 191, laws of the 39th General assembly and the following sections enacted in lieu of the two sections repealed. This law was further amended by the 40th General Assembly and as amended reads:

- "(A) Any city or town shall have the power to provide that all able bodied male residents of the corporation between the first day of February and the first day of October of each year, and within fifteen days after receipt of the demand of payment by the clerk, shall pay in money to the street commissioner, or city or town clerk, a sum to be fixed by the city or town council on or before February first of each year, not exceeding five (\$5.00) dollars.
- (B) It shall be the duty of the said clerk to make demand upon said resident for the payment of said poll tax, and said demand shall be made by serving a personal notice, or by sending notice through the mails. Any person claiming to be exempt under the provisions of this section shall furnish the mayor or other proper officer with an affidavit showing the extent and nature of the disabilities entitling him to such exemption, and if said affidavit is approved by the city or town council, then said affiant will be relieved from payment of said tax.
- (C) In case of failure to pay said sum of money as provided in paragraph (A) of this act, said corporation may recover same and a penalty of not more than two dollars (\$2.00) by action brought in the name of such city or town in any court having jurisdiction over the subject matter of the action. No property or wages belonging to said person shall be exempt to the defendant on an execution issued upon said judgment. The tax and money so collected shall be expend-

ed upon the streets, avenues, highways, alleys or public grounds of said corporation. All of said tax remaining unpaid on the fifteenth day of November in each year shall be certified to the county auditor at any time before the following first day of December and shall be entered by him upon the tax list of said county and treated and collected as ordinary county taxes, and shall be a lien upon all real property of the delinquent.

EXEMPTIONS FROM POLL TAX

Section 1054 Compiled Code exempts active members of any fire engine, truck or ladder, hose or any other company for the extinguishing of fire, or the protection of property at fires under the control of the corporate authorities of any city or town from labor on the roads on account of poll tax and also exempts any person who has been an active member of such company for a term of ten years. While this section mentions labor on the roads on account of poll tax, there is no question but what this is an exemption of the payment of poll tax under the new law.

Section 4482 Compiled Code, paragraph 7 provided among other things, "and poll tax of any honorably discharged soldier or sailor of the war with Spain, Chinese relief expedition or the Philippine insurrection," shall be exempt from taxation.

When this section was passed the law provided for two days labor on the streets in cities and towns and this did not exempt Spanish American war veterans from doing such labor, but now that this two days labor has been changed to poll tax, the chances are that Spanish American War Veterans are now exempt from poll tax. Most of the Spanish American War Veterans are now over forty-five years old and would be exempt on account of age, in any event, so this exemption does not amount to very much. In the ordinance attached, Spanish American War Veterans are exempt but if you do not desire to exempt them, strike out the last sentence of section five.

Section 330 Compiled Code exempts "every officer and soldier of the Guard shall be exempt from labor on the road on account of poll tax during his term of service." This provision while referring to labor on the road would no doubt be construed to exempt from poll tax even when it is payable in money.

WORLD WAR VETERANS

The question is constantly arising as to whether or not soldiers of the world war are exempt from poll tax, and there is no question but what such soldiers are not exempt from paying a poll tax. There is no exemption provided for by law and until there is specific exemption for them, they must pay the poll tax the same as any other male citizen. It might be added that the officials of the soldiers organizations in this state agree that world war soldiers are not exempt from poll tax and have published this fact in their official papers, many times.

GOVERNMENT EMPLOYEES

In some places government employees, especially mail carriers claim to be exempt from poll tax, but there is no merit to this claim and every man is subject to poll tax except those specifically exempted by law, and who are set out in this ordinance.

FORM OF ORDINANCE

The ordinance follows the wording of the state law as closely as possible.

The form of ordinance is as follows:

POLL TAX

AN ORDINANCE PROVIDING FOR POLLTAX
Be it ordained by the Council of the Town of
....., Iowa:

Section 1. All able bodied male residents betwen the ages of twenty-one and forty-five, shall, between the first day of February and the first day of October of each year, and within fifteen days after the receipt of the demand for payment by the clerk, pay in money to the clerk, a sum to be fixed by the council on or before February first of each year, not exceeding five dollars. The council shall fix, by resolution, at the first regular meeting in January of each year, the amount to be paid. The resolution may be in substantially the following form:

"Be it resolved by the Council of the Town of...., Iowa:

All able bodied male residents between the ages of twenty-one and forty-five, shall between

the first day of February and the first day of October of each year 192..., pay in money, the sum \$......dollars to the clerk, as poll tax for the year 19......"

Section 2. The clerk shall make demand upon said residents for the payment of said poll tax, and said demand shall be made by serving personal notices or by sending notices through the mails. Any person claiming to be exempt under the provisions of this section shall furnish the mayor with an affidavit showing the extent and nature of disability entitling him to such exemption, and if said affidavit is approved by the council, then said affiant will be relieved from payment of said tax.

Section 3. In case of failure to pay said sum of money, within fifteen days after receipt of the demand for payment by the clerk, the municipality may recover same and a penalty of two dollars, by action brought in the name of the municipality in any court having jurisdiction over the subject matter of the action. No property or wages belonging to said person shall be exempt to the defendant on an execution issued upon said judgment. All of said tax remaining unpaid on the fifteenth day of November in each year shall be certified by the clerk to the county auditor at any time before the following first day of December and shall be entered by him upon the tax list of the county and treated and collected as ordinary county taxes, and shall be a lien upon all real property of the delinquent.

Section 4. The entry of such tax and penalty upon the tax list shall not prevent an action being brought thereon, but such action must be commenced within one year from the first day of October following the giving of the notice.

Section 5. Any person while an active member of the fire department or who has served in any fire department company for ten years and holds a certificate to that effect from the foreman of such company, shall be exempt from poll tax on conditions that he shall file with the clerk on or before the first day of April of each year, a certificate signed by the foreman of the company of which he is a member, that he is an active member of the same, or shall file the certificate of his ten years service with the clerk. Every officer and soldier of the National Guard of the United States and of the state of Iowa

(Continued on page 138)

Electric Current

Council Cannot Contract to Buy Current for Municipal Plant

Action to recover on two written contracts known as Exhibits A and B. The claim under Exhibit A was for recovery of \$1,800 as the agreed price for reconstruction of a direct current system of lighting and the installation of an alternating system; and for \$100 due for depreciation of a certain motor. Under Exhibit B plaintiff claimed payment for electric current furnished to defendant thereunder. Defendant admitted liability under the contract, Exhibit A, for reconstructing the lighting system and for the \$126 difference in motors. Defendant denied liability under contract, Exibit B, averring that said contract was invalid on the ground that a contract for the purchase of electric current by defendant town was expressly forbidden by statute unless authorized by the voters at an election, which was not done. The trial court sustained the contention of the defendant, and withdrew from consideration of the jury plaintiff's claim under Exhibit B.

Defendant interposed a counterclaim for \$4,500 based on contract, Exhibit A. for recovery of the purchase price of certain electric equipment which plaintiff agreed to purchase from it. The only issues submitted to the jury were under the counterclaim. The jury found for the defendant in the amount of the difference between the admitted amount owing plaintiff under Exhibit A, and the amount of the counterclaim. Facts appear in the opinion. From the judgment entered on the verdict, plaintiff appeals. Affirmed.

About 1912 the town of Winthrop erected a direct current electric light and power plant by which it operated the waterworks and the lights of the town, and furnished electricity to patrons for light and power purposes. The plaintiff is a corporation engaged in operating high pressure transmission lines for the distribution and sale of electricity. Some time prior to February, 1917, negotiations were entered into between plaintiff and defendant to secure an agreement whereby the defendant would extend its high voltage line

to Winthrop and the town of Winthrop would purchase electricity from it. These negotiations resulted in a resolution adopted by the town council of Winthrop authorizing the mayor of said town to enter into an agreement with plaintiff company whereby the company was to extend its transmission lines to Winthrop and build a substation, and the town was to rebuild its system to make the same available for alternating current, and to purchase electricity from plaintiff necessary to operate its municipal plant. The company agreed to purchase the town's direct current producing machinery at the agreed price of \$4,500, after the change was completed and was in operation. The town employed plaintiff company to make the necessary change in its system to accomodate alternating current electricity to be furnished by plaintiff. Under this agreement plaintiff company constructed its line to Winthrop and rebuilt the town's distribution system, installed a step down substation, and furnished the necessary apparatus to pump water for the town with alternating current, and commenced to furnish electricity to the town which the town received and continued to use. Defendant did not pay for the electricity furnished to it by plaintiff from the time the contract began in 1917 to November, 1919, refusing to make payment on the claim that the company had failed to carry out its contract in regard to the purchase of machinery from the town; that is, that plaintiff had not paid to the town the \$4,500 agreed upon as the purchase price of the direct current machinery of the town. Beginning with November, 1919, the town began to pay for the electricity furnished to it by plaintiff. town then "figured it was even" with the company by withholding payment for the current up to November 1919, on account of the company's failure to pay for machinery purchased from the

This suit was instituted to recover for the electricity furnished under the contract, Exhibit B, which had not been paid for by the town

from the beginning of the contract up to November, 1919, in the amount of \$3,562.70, and for reconstruction of the plant owned by the town at the agreed price of \$1,800. Defendant admitted liability on the claim for reconstruction of its system in the amount of \$1,800 and for \$126 as depreciation on a certain motor, and said claims were not submitted to the jury. The court refused to submit, and withdrew from the consideration of the jury plaintiff's claim under contract, Exibit B, for furnishing electricity; so that there remained and was submitted to the jury only the cause of action set up by defendant against the plaintiff in its counterclaim-to recover damages because of plaintiff's failure to pay for equipment sold by the town to plaintiff.

II. The major question in the case presented on this appeal involves the correctness of the trial court's ruling in sustaining defendant's motion for a directed verdict based on the ground that the contract for the purchase of electricity by the town was void because not submitted to the voters of the incorporated town of Winthrop for their approval. Plaintiff assigns said ruling as error; and presents the same question by assigning as error the overruling of plaintiff's motion for a new trial.

By the terms of the contract, Exibit B, plaintiff agreed to furnish defendant "electric current in sufficient quantities and of ample pressure to at all times supply the town lighting system, etc," and the town agreed to use such current exclusively for the town lighting system and to pay for the current monthly at a rate fixed in the contract. By its terms the contract was to be in force for the period of 25 years from and after the date service was first rendered. The contract provided that the prices fixed in the contract should be effective for the first two years, and the prices thereafter were to be agreed upon by the parties or determined by arbitration; each party having the right to demand an adjustment of prices every two years.

After amendment by the thirty-fourth General Assembly (Acts 34th Gen. Assem. c. 34) section 720 of the Code of 1897, omitting parts not material in this discussion, read as follows:

"They [cities and towns] shall have power to purchase, establish, erect, maintain and operate * * * electric light or electric power plants, with all the necessary * * * machinery, apparatus and other requisites of said works or plants, and lease or sell the same. * * * No such works or plants shall be authorized, established, erected purchased, leased or sold, or franchise extended or renewed or amended, or contract of purchase entered into, unless a majority of the legal electors voting thereon vote in favor of the same at a general, city or special election."

Said section was amended by chapter 66 of the acts of the 35th General Assembly by adding to the section the following: "And they shall have the power to enter into contracts with persons, corporations or municipalities for the purchase of heat, gas, water, and electric current for either light or power purposes, and shall have power to sell the same either to residents of such municipality, or to others, including corporations, * * *" and by inserting after the word "amended" in the twelfth line of said section, * * * "or contract of purchase entered into."

Council for plaintiff take the position that defendant town had the right to enter into the contract for the purchase of "electric current" without an election so authorizing; that the contracts forbidden by section 720, without approval by voters, are contracts for the purchase of electric light plants, and not contracts for the purchase of electric current. Counsel for defendant town contend that the town did not have the right to enter into the contract without approval of the electors, and that, the contract having been made without an election authorizing the same, it is void because in violation of the statute which expressly, as defendant claims, forbids the town council, and likewise the electric company, from making a contract of that character without approval of the voters.

Council for the defendant urge that the words, "or the contract of purchase entered into," in the above quoted amendment to section 720, refers to contracts for the purchase of electricity; while council for plaintiff contend that said clause only refers to and affects contracts for the purchase of a plant, existing in the statute before the amendment. We think the construction placed by plaintiff upon the statute as amended is not warranted. In support of their view counsel cite McGuire v Railway, 131 Iowa, 340, 108, N. W. 902, 33 L. R. A. (N. S.) 706, in which we said:

"Unless the contrary intent is clearly in-

dicated, the amended statute is to be construed as if the original statute had been repealed and a new and independent act in the amended form had been adopted."

We think it is not necessary to apply the rule announced in the McGuire case to ascertain the purpose and meaning of the statute as amended. But applying such rule, which is sound, we think the intent is clearly indicated in the statute as amended to forbid entering into a contract of purchase of "electric current." It seems to us that such was the manifest purpose and intent of the statute as amended. The title of the act amending the statute explicitly mentions "electric current." The original statute forbade the purchase of "works or plants" and there was no occasion to repeat that prohibition in an amendment. The clause, "or contract of purchase entered into," was placed in the body of the old statute, and the rest of the amendment defined in the title as "an act * * * to authorize cities and towns to enter into contracts to purchase heat, gas, and electric current and to sell same," is in addition to the original statute.

Section 720, as amended, omitting parts immaterial in this discussion, the words italicized being the amendment by the thirty-fifth General Assembly, now reads as follows:

"They [cities and towns] shall have power to purchase, establish, erect, maintain and operate * * * electric light or electric power plants, with all the necessary * * * works or plants and lease or sell the same. * * * And they shall have power to enter into contracts with persons, corporations or municipalities for the purchase of * * * electric current for either light or power purposes, and shall have nower to sell the same either to residents of such municipality, or to others. * * * No such works or plants shall be authorized, established, erected, purchased, leased or sold, or franchise extended or renewed or amended, or contract of purchase entered into, unless a majority of the legal electors voting thereon vote in favor of the same at a general, city or special election."

We think the statute as it now stands expressly forbids the making of a contract which plaintiff seeks to enforce without the approval of the voters, and that said contract cannot be given effect. It is the general rule in this jurisdiction

and elsewhere that contracts in violation of statute are void. Numerous cases might be cited holding to that effect. Some of them are: Marienthal v. Shafer, 6 Iowa, 223; Reynolds v. Nichols, 12 Iowa, 398; Pike v. King, 16 Iowa, 49; Harrison County v. Ogden, 133 Iowa, 677,108 N. W. 451; Blair v. Fitch, 189 Iowa, 1307, 179 N. W. 863; Thomas v. City of Richmond, 12 Wall. 349, 20 L. Ed. 453. Also see 13 Corpus Juris, 411-420.

Counsel for plaintiff in an able and illuminating argument review the history of legislation relating to the authority given to cities and towns to purchase, maintain, and operate electric light and power plants, and the evolution from the use of direct current to alternating current power. Counsel for appellant strenuously urge that, even though forbidden to do so by statute, the defendant town through its council had authority and power to enter into the contract, Exhibit B, under which plaintiff seeks to recover for the purchase of electric current without the approval of the electors of the town. Their argument is that because the town of Winthrop was engaged in the business of selling electric current to its inhabitants, as well as using the current for municipal purposes, the town could enter into a valid contract for the purpose of such current without the authority of the voters. We think such a position untenable. Such construction is contrary to the plain terms of the statute. Such construction would render the statute meaningless and impotent. If the position counsel for plaintiff is correct, the fendant town-which the record sells electric current to private consumers, "to others"-would be under no legal restraint in making contracts to buy electric current, either as to quantity, price or length of time such contract should continue, and might do so without submitting the proposition to the electors for their approval. We cannot agree with that position. Counsel for plaintiff argue that because under the provisions of Code, section 724, the town may sell electric power acquired from the plaintiff, that section 724 being a later statute than section 720, must be construed to be a general grant of permission to deal in the commodity, without the necessity of an election. We think such position untenable. The power "to sell" given by section 724 does not in any way render

nugatory or modify the plain terms of section 720, as amended, requiring approval of the electors to authorize the town to enter into contracts to purchase "electric current."

We have carefully examined the cases cited by counsel for plaintiff in support of their position that it was not the intent of the legislature in the enactment of section 720 and amendments thereto to deprive the town of the right to contract for a supply of electricity to run its municipal plant except after submission of the question at an election. We think the cases cited are distinguishable from the instant case, and do not support the position taken by plaintiff. Of the cases cited by counsel for appellant, Marion Water Co. v. City of Marion, 121 Iowa, 306, 96 N. W. 883; Davenport Gas & Electric Co. v. City of Davenport, 124 Iowa, 22, 98 N. W. 892; First National Bank of Red Oak v. City of Emmetsburg, 157 Iowa, 555, 138 N. W. 451, L. R. A. 1915 A, 982; Hansen v. Town of Anthon, 187Iowa, 54, 173 N. W. 939, do not involve a want of power, as in the instant case, but involve mostly irregularities. Other cases cited were in equity, where the rules of the law do not obtain, and others relate to rules governing private corporations; while others, Clark v. City of Des Moines, 19 Iowa 199, 87 Am. Dec. 423, and Reynolds v. Lyon County, 121 Iowa, 733, 96 N. W. 1096, are cases where the original debt, for which the contracts involved were given, were valid and enforceable independently of the contracts sued on. It must be borne in mind that section 720 does not only withhold power from the town council to enter into such a contract as the one here involved, but contains the positive command that it shall not do so without approval of the voters. It has been the settled doctrine in this state since the decision in Marienthal v. Shafer, supra, continuing up to Blair v. Fitch, supra that the court will not lend assistance to enforce any contract the making of which is forbidden by statute.

III. Counsel for plaintiff strenuously urge that, even if the statute required submission of the contract involved to the voters at an election for approval, which they do not concede, the town is estopped to deny the validity of the contract in so far as it has been executed. It does appear from the report that the town used the electric current furnished by plaintiff for the

purpose of lighting its streets. This argument carries a forceful appeal. It would seem just the town should pay for the electric energy which it has received from plaintiff and used at an agreed price. But we are not permitted in the face of the positive command of the statute—that no such contract shall be made without the approval of the electors—to grant relief to plaintiff. Counsel concedes that when exercising legislative functions the council is not estopped by its acts. Town of Woodward v. Iowa Railway & Light Co., Iowa 518, 178 N. W. 549.

Counsel contend that in conducting an electric light plant the town was acting in its purely private proprietary capacity, and was subject to the same rule of estoppel as individuals and private corporations. In support of such position they cite Marion Water Co. v. City of Marion, supra, and First National Bank of Red Oak v. Emmetsburg, supra. These cases are not in point. They do not involve a want of power as in the instant case. They involve questions where the city had the power to contract, but exercised such power in an irregular manner. Moreover, we think it immaterial and beside the question whether the council was acting in socalled private capacity, or was exercising legislative functions in entering into the contract. statute positively forbids the council from entering into such a contract, without the approval of the voters. We think it is the rule universally applied that, if officers of a municipality, where, as in the instant case, the town council was forbidden by statute to make the contract involved without approval of the voters, a future council is not estopped from repudiating liability of such ultra vires contracts. In support of this proposition: Langan & Noble v. Sankey, 55 Iowa, 52, 7 N. W. 393; Cedar Rapids Water Co. v. City of Cedar Rapids, 117 Iowa, 250, 90 N. W. 746; Citizens' Bank v. City of Spencer, 126 Iowa, 101, 101 N. W. 643; Harrison County v. Ogden, 133 Iowa, 9, 110 N. W. 32; Bay v. Davidson, 133 Iowa, 688, 111 N. W. 25, 9 L. R. A. (N. S.) 1014, 119 Am. St. Rep. 650. In the Ogden case we said:

"The county is not estopped by the unauthorized acts of its officers, either in attempting in the first instance to incur indebtedness, nor in attempting to ratify unlawful obligations already entered into."

In Bay v. Davidson, supra, we said:

"That the town has received the benefits of the contract is not material. This court is committed to the doctrine that the contract being invalid it cannot be rendered valid so as to support and action for recovery by invoking the doctrine of estoppel."

We hold that, the contract sued on being illegal and void in its inception because denounced by statute, plaintiff company, in entering into said contract, did so at its peril, and no estoppel arose.

[4] IV. Other assignments are directed to claimed errors on the trial of defendant's counterclaim, which was the only fact issue in the case and the only issue submitted to the jury. The counterclaim was based upon a provision of the contract, Exhibit A., entered into on February 16, 1917, by the parties as follows:

"We further agree to pay to the town the sum of \$4,500 for the engines, dynamos, switchboard, batteries, tanks and all other appliances owned and used by the town in connection with the electric power house, it being understood that such machinery shall be in good condition as on the date of this agreement, ordinary wear and tear excepted. * * * This sale to be consumated after the successful operation of the lighting system with alternating current."

Defendant alleged that plaintiff took posession of its plant and of its machinery enumerated in the contract, Exibit A, above quoted, and disconnected such equipment from said system and completed installation of the alternating current system, and had the same in successful operation on or about December 21, 1917, at which time the engines, dynamos, switchboard, batteries, tanks and appliances above mentioned were "in good condition as on the date of said agreement, ordinary wear and tear excepted," and became thereupon the property of the plaintiff. Plaintiff admitted the language of the contract above set forth, and denied other allegations of the counterclaim. In submitting the counterclaim to the jury the court instructed that-

"All the material allegations of the defendant's counterclaim have either been admitted by plaintiff or are supported by the uncontradicted evidence, except the allegation concerning the condition of the machinery in question on the 21st day of December, 1917. You are therefor further instructed that the only allegation of defendant's counterclaim which requires consideration from you is the allegation that on or about the 21st day of December, 1917, the engines, dynamos, switchboard, batteries, tanks and appliances mentioned in the contract were in as good condition as on the date of such agreement, ordinary wear and tear excepted."

Plaintiff claims that an instruction requested by it was not given to the effect that the defendant failed to prove any proper measure of damages suffered by it by reason of the breach of the contract, if any breach there was, under which defendant claimed \$4,500 for the sale of direct current machinery to plaintiff. There was no error in refusing the instruction. The price of the machinery was agreed upon, and that would be the proper measure of damages, if it were entitled to damages. If defendant failed to prove by a predominance of the evidence that the machinery was "in good condition as on the date of such agreement, ordinary wear and tear excepted," it would not be entitled to recover at all, and the court so instructed.

[5] Plaintiff also complains because an instruction requested was not given, to the effect that it was incumbent on the defendant to prove that the contract, Exhibit A, must have been so far executed as to pass title to the property claimed to have been sold to plaintiff, and that defendant delivered said property, or offered to do so, and tendered said property in as good concondition as the same was at the date and time of the execution of the contract, and that defendant had failed to prove either that said contract was so far executed as to pass title to said property to plaintiff, or that the defendant ever delivered said property to plaintiff, and that on account of said failure the defendant was not entitled to recover on the counterclaim. think it was not error to refuse said instruction. It was clearly proven, without dispute, that the property was delivered to plaintiff. The record discloses that plaintiff took posession of the property in the reconstruction of defendant's plant to make the change from direct to alternating current power, and had posession of it on the 21st day of December, 1917, when the change was completed. The only issue remaining under the counterclaim was one of fact; that is, whether the property purchased by plaintiff from

the town, the old direct current machinery, "was in as good condition as on the date of said agreement (contract) Exhibit A, entered into February 17, 1917,) ordinary wear and tear excepted."

[6] Plaintiff's witness, T. J. Matthews, testified on direct examination that he was the local manager of the plaintiff company; that the company extended its transmission line to the town of Winthrop from Masonville in 1917, and changed the direct current system in the town to an alternating current system by putting in transformers and running a primary line from the substation to the town; that the construction at Winthrop was completed and changed from a direct to an alternating current on December 21, 1917; that the accounts of the town of Winthrop were kept by him at Manchester. On cross examination the witness testified that he had the management of the Winthrop matter, and that his control of it commenced about September 3, 1917. Witness was then asked:

"Q. When did the electric company take over this plant and put it within your management or control? (The objection is made that it is not proper cross examination. Overruled. Plaintiff excepts.) A. December 21, 1917"

Plaintiff complains that it was error to permit the witness to answer the question. We think there was no abuse of discretion in allowing the witness to answer the question, and it was not error. Lowe Bros. & Co. v. Young, 59 Iowa, 364, 13 N. W. 329.

[7] V. Plaintiff complains that it was not permitted to introduce evidence to show that the town sold electricity secured from plaintiff at a profit; to show the number of the town's electric customers; to show that the reasonable value of the electricity used by the town from December 21, 1917, to December, 1919, was in excess of the contract rates, and not less than 8½ cents per K. W. H. per month, and that the actual cost of production thereof was not less than 7.1 cents per K. W. H. per month; that the cost of production of electricity in the Winthrop direct current plant was not less than 9 cents K. W. H. per month. We think introduction of the testimony was properly refused. Plaintiff's action was based upon a written contract in which the price was fixed and could not be in dispute. Moreover, we have, as hereipbefore indicated, held that the trial court was

right in holding the contract for the purchase of "electric current" void.

Results in affirmance of the case. Affirmed.

Poll Tax

(Continued from page 132)

shall be exempt from poll tax. Every honorably discharged soldier or sailor of the war with Spain, Chinese relief expeditions or the Philippine insurrection, shall be exempt from poll tax.

Section 6. All ordinances or parts of ordnances in conflict with this ordinance are hereby repealed.

Section 7. This ordinance shall be in force and effect from and after its passage and publication as provided by law.

MUNICIPAL LOANS CONTINUE IN LARGE VOLUME

State and municipal bond issues have been floated at the annual rate of a billion and a quarter thus far this year. To date, the year's sales of permanent loans aggregate over \$535,000,000. With the exception of January, sales have exceeded \$100,000,000 a month and the June total may set a new high record, with New York City alone borrowing \$67,400,000 through the sale of bonds. With the completion of the financing scheduled for negotiation up to about the middle of this month, however, indications point to an abrupt decline in the volume of borrowing on the part of States and Municipalities throughout the country. It is estimated that 1924 loans will aggregate just about \$1,000,000,000.

The following compilation, prepared by the Daily Bond Buyer of New York, compares the output of State and Municipal bond issues in May and the five months ending May 31st for ten years:

		11149 0100 101
ten years:		Five mos.
	May	end. May 31
1924	.\$114,454,870	\$535,155,264
1923	. 102,350,755	445,016,939
1922		564,409,035
1921	. 76,520,569	382,115,981
1920	45,182,631	304,950,717
1919	49,225,791	216,549,967
1918	. 30,798,561	112,766,292
1917	. 22,627,860	184,740,614
1916	. 30,027,275	238,067,518
1915	46,164,842	212,469,046

Valuation and the Municipality

By C. F. Lambert, Member of Firm of Burns & McDonnell Engineering Company

Of all the valuations which this firm has made, about seventy-five per cent have been made for the city and twenty-five per cent for the company. In a few cases we have represented both sides jointly. On account of having represented the cities in so many cases I believe that some idea of a valuation and its relation to the municipality will be of interest.

Almost invariably a valuation has a relation to the municipality. I presume that in ninety-five per cent of the cases where a valuation is made of a public utility it is made to determine a fair rate to be charged for the output of the utility, or to determine a fair price for the purchase of the property. In both cases the municipality is vitally interested.

I have found almost universally that the consumers of a utility are willing to pay a rate which will give to the utility a fair return on a fair valuation. Of course, there are radicals in many communities whom it is hard to convince that anything near an adequate return is fair, but for the most part, these are a small minority. The attitude of the public toward a utility is, of course, governed largely by two things. The first of these is the service rendered and the second is the attention of the local management towards the public. A local manager has a great many things to contend with and a great many unreasonable complaints to meet, but if he will show the public that his company (and to most of the public he is the company) means to give them service and courtesy, he will do more to get an adequate rate than any other way. A local manager of a gas and electric property in Missouri recently expressed that what to me seemed a very forceful way. He said, "I keep in mind that I am not trying to sell the public gas or electricity—I am trying to sell them service."

The question then is—What, in the mind of public, is a fair valuation? You will find that to the average city official or interested citizen, the first thought that occurs when the subject of a valuation is broached, is the question of

"Going over the books." To those to whom the subject of valuation is new, it does not occur at first to have a complete inventory made, but they believe that the value of the property will be reflected from the records. I believe that this is due to two reasons—First, the average business man determines the value of his business largely by the amount of his stock which is shown by his books. He does not realise that, whereas in his business probably his big investment is in what he sells and not in his means of selling, in the utility the big investment is in the means of selling and not in the goods sold. Second, I believe the average citizen feels that the fair value on which a return should be made is the actual investment, and he believes that this can be obtained from the books. The question of what is fair value has been much discussed and I mean to touch on it only so far as it relates to the opinion of the citizen. We can see how the average man would look at this, and I believe that the average utility company itself would be satisfied if it could at all times receive a rate which would pay its operating expenses, take care of depreciation and then leave sufficient money to pay a fair return on the actual investment, where the actual investment represents the actual reproduction or original cost.

While the actual investment seems a simple matter to obtain, we all know how complicated the path becomes when we try to trace it back, especially in a company which has changed hands several times. Then again, very frequently the actual money invested represents a sum which was used to purchase a property at a forced sale and does not represent the true value of the property. This is a matter which some times is difficult to explain to the citizens—why a company is entitled to a return on the value of a property above that which they actually paid, as in the case mentioned above. This is one of the important reasons in favor of a real inventory and valuation. Again, the books some times do and some times do not show property which has been superceded and removed. If the actual investment is to be used, this should be given consideration, yet, it may not be shown on Again, the books may be based on a the books. previous valuation and not on the actual invest-As stated above, we believe one reason an accounting of the books is first considered, is because it is desired to get at the actual investment. Very frequently when a rate question is up the city council will appoint a committee or perhaps even employ an accountant to investigate the books. Usually when the report is submitted the city council will find itself as much in the dark as ever, or at the most, very little advanced. I do not by this mean to belittle a good accountant's report, but I mean that the accountants's report is only part of the information that is necessary. At this stage the city council will usually find that what they need is an engineering inventory and appraisal, and this necessity applies to the company as well as the city.

We have found that when the city officials find that they have an actual inventory of the actual property used and useful in the production of the utility service, they feel that they are geting nearer to the actual value on which they should pay a return, than in any other way. With the inventory, they have before them an itemized statement of every piece of equipment, all of the buildings, of the poles, wire, pipe and all the other things which go to make the complete property.

With the inventory completed the question, of course arises, on what basis should the items be priced? Should it be pre-war, present prices, or an average covering a period of five or ten years? Many companies, especially during the period of abnormally high prices, favored a valuation made on the basis of these higher prices. They were sustained in this by the decisions of many courts. The average citizen, looking at it from his standpoint, naturally resented this. 'He could not understand why he should be made to pay a rate which would give the utility a return on a value which was far in excess of the actual cost of construction, or even the average cost during a comparatively normal period. What the average citizen overlooked and what I believe was usually the company's chief incentive in trying to get a high value, was the fact that probably for a considerable period the company was operating on a rate that was too low. It takes a considerable period of time for a utility to obtain even a temporary increased rate, while during certain periods of the past few years, operating costs increased tremendously, almost over night. This means that if a utility was receiving a fair rate before the increase in operating costs, they sustained greatly reduced profits, and in many cases, actual losses before any relief was had. It was to recoup these losses that most companies asked for the returns on the higher valuation, but the average citizen could not understand this. I believe that the utilities really made an error in insisting on these high valuations. Many courts and commissions have ruled that the high prices must be given consideration, and I believe that a ten-year average covering the period of high prices and a period of more nearly normal prices gives a value which is fair to the company, and which appeals to the average man as much more reasonable. This also gives a more stable valuation. Of course, at the times of the peak of prices the average value was much lower, but today on some items a ten-year average price is higher than the present price.

Probably most difficult of understanding by the average citizen are the items of overhead costs and going value. He can see that there is a certain value in an engine, but he does not at first comprehend why there should be added to this value an additional cost for engineering, taxes, interest during construction, etc. This can usually be best explained by showing how the physical value of the engine itself include such items as engineering, taxes and interest at the factory where it is built, and these expenses must be met just the same in assembling a complete utility plant on the ground as in assembling an engine or other piece of equipment at the factory.

As to going value, the difficult thing for the average man to understand is, why there be any extra value to a utility when it is losing money or barely paying expenses. He must be shown that the busines has been developed and therefore the value is there, and if there are no profits it is because the utility is not receiving a rate sufficient to pay a fair return.

In conclusion I will only say that I believe that in most instances, if the company will show a desire to lay its cards on the table and treat the municipality fairly and squarely, it will receive the same treatment in return.

Davenport Appreciates Mayor Mueller

Citizens Give Former Mayor Thanks for His Services

Alfred C. Mueller received a wonderful tribute from the city of his birth and the city of his distinguished service last night when 200 of Davenport's most representative citizens gathered at the Chamber of Commerce and tendered the former chief executive of the municipality a complimentary dinner.

The event was held in recognition of Mr. Mueller's service as mayor of Davenport for eight years, from 1910 to 1916, and from 1922 to 1924. A beautiful silver loving cup was presented to the guest of honor at the dinner. On it was engraved:

To

ALFRED C. MUELLER

From the Citizens of Davenport in Appreciation of his services as Mayor 1910-1916 and 1922-1924.

May 20, 1924.

After the cup had been presented and Mr. Mueller had spoken his appreciation and after an evening of toasts to the former mayor, Colonel G. Watson French rose and made this brief but emphatic statement:

"The City of Davenport has honored itself more than it has honored Alfred Mueller by this meeting."

Mr. Mueller was visably touched when he was escorted into the dining room by a committee of distinguished citizens and when the big audience, already seated at tables, arose and cheered him to the echo. He was also noticably affected when he arose at the conclusion of the evening's program to express his thanks to the men who had just thanked him, in behalf of the citizens of Davenport for his long and able service as the municipal chief.

Debt of Family

"Seventy-one years ago my father came to this community," he said. "Our family has enjoyed the advantages of this community and it is only right and proper that we should repay the city of Davenport for the many many, things we have received here. What I have done in public office has just been an attempt at repayment. We should be mindful of the fact that with privileges go responsibilities. My service, to me, has been well worth while. The city of Davenport has more than amply repaid me for all that I have done."

"What has been accomplished at the city hall has been largely the result of team work," he stated. He pointed out William Matthes, former Democratic alderman, and Chris Kuehl, also a Democrat and former alderman, as examples of the men whom he had worked with harmoniously in past administrations. Referring to these and others he said:

"We owe them all a debt of gratitude."

Mayor Louis E. Roddewig said: "Alfred Mueller has done a man's job in Davenport. When he stepped out of office the finances of the city were in the best shape they have ever been. He never sat back and "let George do it." He consolidated departments in the city hall so we could get efficient service and that resulted in the work of Harry Phillips. What he has done in centralizing authority in the line of public works should be done in the board of health. To me it makes no difference whether a man is a Republican or a Democrat. If he has rendered service let's keep him in authority."

Former Mayor Lee J. Dougherty, the next speaker, said:

As I look over this representative gathering of professional and business men, a gathering that would be possible probably in no other town but Davenport, I cannot help but feel honored with the privilege which comes to me of saying a few words on this very fitting occasion, met as we are for the purpose of assuring our good friend, Alfred Mueller, that the people of this community appreciate the many sacrifices made by him during the past nine years while he acted as mayor of this city.

I do not suppose there was ever a man who filled the position with any more enthusiasm and ability than did Alfred Mueller, who always had in mind the untold advantage of Davenport's situation in the center of the population of the United States and set in the very heart of the corn belt of the world. Ever his watchword was "co-operation" with his associates. He reasoned from their point of view as well as from his own, always forgot selfish aims and worked in sympathetic co-operation for a better and greater Davenport.

We, who know you best, Alfred, understand that you would much prefer that a lot of nice things be not said in public speeches but that they only be recorded in the great book of life. Pardon me when I go contrary to your wishes. We have witnessed the earnestness and fairness that you displayed as chief executive of this city and we feel that it is proper to let you know that the citizens keenly appreciate all you did. You acquitted yourself so well in the performance of the difficult duties of your position during the nine years of your incumbency of office as mayor of the city that we are gathered tonight to say to you, "well done, good and faithful servant."

The people of this community want you to feel that they are not ungrateful for what you have been to them. I hold here a testimony of their esteem and I beg you to accept it as a meagre expression of their appreciation to you as a man, a citizen, and a mayor. I trust that your future will be filled with as many worth while accomplishments and successes as your past.

[Dayenport Democrat.]

AMERICAN MUNICIPAL YEAR-BOOK

In every one of the more than 16,000 incorporated places throughout the United States are to be found municipal officials and publicspirited citizens who are planning and working for civic advance. The American people are coming more and more to realize that, in times of peace, the governmental activities which most directly affect their welfare and happiness are those of their local communities.

As a result, the cities, towns and villages of America are not merely becoming better places in which to live and work and play, but are serving as proving-grounds for still further progress in municipal improvements and civic advance. Important forward steps here, and doubtful experiments there, are being watched by other communities in a spirit of appraisal and healthy emulation. We are seeking to do everywhere—

or at any rate elsewhere—what has proved its value somewhere.

This growing interest in local progress has been partly the effect and partly the cause of a widening demand for information as to standards, methods and equipment for the planning, building and governing of modern cities. Through the monthly issue of The American City and other sources, this demand has been increasingly met. But there has not heretofore been available an annual compendium of information such as is now presented in the first edition of *The Municipal Index*.

This new year-book has been compiled and edited by the publishers of The American City with certain groups of users and certain purposes especially in mind. No attempt has been made to produce a popular treatise. It has been assumed that the book will be read and consulted mainly by municipal and county officials and department heads, and by civic organizations, city planners, consulting engineers, landscape architects and other specialists who through leadership or advice, are influencing the destinies of American cities. For such *The Municipal Index* will prove, it is believed, of great value as a handbook of information.

In the 408 pages of the 1924 edition will be found more than 148,000 words of text matter (exclusive of 261 pages of abridged catalogs) on the subjects covered by the seventeen main divisions here listed. There are also more than 9,500 words descriptive of the activities and services of 114 national organizations and 25 Government bureaus serving municipalities. The bibliographies contain more than 1,100 entries; the alphabetical list of aubjects, 675 entries; and the classified list of products and services, 943 entries under 375 headings. Notwithstanding the large amount of information which has been included within the covers of this new yearbook, it is obvious, of course, that no such compendium can meet every need of every user. The publishers invite suggestions as to how future annual editions can be made more valuable; and they will endeavor to answer. without charge, inquiries from users of The Municipal Index who do not find in it data or references to sources of information on subjects relating to municipal or county improvements in which they are especially interested.

Report On Plumbing

Department of Commerce Issues Valuable Report

The Department of Commerce report on Recommended Minimum Requirements for plumbing in dwellings and similar buildings results from a wide-spread feeling that present state and municipal code requirements are in some respects unnecessarily restrictive and that conservation of labor and material could be effected by scientific investigation of the burdens on such systems, and their performance under conditions of use. It is well known that the codes of different localities vary widely and that practices forbidden in some places are successfully employed elsewhere. The benefits of uniform requirements in permitting simplification of plumbing supplies also are generally recognized.

The development of plumbing code requirements and practice and in installation of plumbing systems has been almost entirely in the hands of master plumbers and journeymen. Architects and builders have been too apt to disregard the importance of this feature of building construction and it results that no careful investigation has ever been made of the laws governing operation of plumbing systems.

This was the situation when Secretary Hoover, early in 1921, organized the Division of Building and Housing in the Department of Commerce to serve as a focus and clearing house for information useful to the building industry. It shortly became an important part of the Division's work to gather information on the subject of building and plumbing codes, with a view to more uniform and economical requirements, and a committee of experienced sanitary engineers and plumbers was called together to consider the drafting of a recommended plumbing code. In order that this Committee might have at hand scientific data on the action of plumbing systems, arrangements were made to perform extensive tests with plumbing equipment at the Bureau of Standards in Washington. These experiments continued for over two years under the supervision of the Committee and afford much valuable data which was analyzed and interpreted by that body in preparing its code of recommended requirements.

The report just published by the Department contains this recommended code and in addition a complete report of the experiments at the Bureau of Standards, showing how the Committee arrived at its recommendations.

The results indicate that present customary assumption in the design of plumbing are considerably on the side of safety and point the way to substantial economies in future work of this The Committee recommends that 3-inch soil stacks be permitted in systems for dwellings: that the running or house trap now required in many cities be omitted and that a distance of not to exceed 5 feet be permitted between trans and ventilation pipes. As a result of tests with complete household systems it was found possible to eliminate much of the expensive vent piping now considered necessary. Economics through complete adoption of the Committee's recommendations are estimated at from 50 to 100 dollars for a 2 story dwelling with the usual number of fixtures, depending, on the nature of requirements now obtaining in a given locality.

Consideration was given to the much discussed subject of plumbing code administration. The report states that while the relation of defective plumbing to disease is much less direct than formerly believed, the subject in all its branches is not yet fully explored, and the possibility of direct access of vermin from the interiors of plumbing systems to those of buildings is sufficiently objectionable to justify public regulation of plumbing work. The Committee recommends a complete official plumbing inspector under jurisdiction of public safety authorities, to examine and approve plans and specifications, test and approve plumbing systems and take such other measures as will make his control of plumbing work effective. The advisability is suggested of substituting certificates of competency for the present licensing system and of permitting owners to install plumbing personally, provided this is done in accordance with the code and subject to official permit and inspection.

The report contains 260 pages of text and one hundred illustrations, mostly given in connection with the report of experiments at the Bureau of Standards. It may be obtained from the Superintendent of Documents, Washington, D. C. for 35 cents per copy. Remittances should be by currency or money order.

HOMICIDE IN DEFENSE OF HABI-TATION

Though a man rent a house for the purpose of living in it in a meretricious relation with a woman to whom he is not married, it is neverthe-less his castle, and he may defend it even to the extent of taking a human life. In the case of People vs. Hubbard, 220 Pacific Reporter, 315, a similar question was before the California District Court of Appeal, which reversed the judgment of conviction of murder in the second degree. Presiding Justice Finlayson wrote the opinion in which it was held that such a tenant could eject another who had been invited into the house by the paramour, and upon his refusal to leave, that the tenant could use such force as might be reasonably necessary to remove the other after allowing a reasonable time for departure, that he need not retreat if the intruder resist, and if he has reason to believe, and does believe, that his own life is in danger, or that he is in danger of receiving great bodily harm, he may intentionally take the intruder's life.

THIRTEEN MILLIONS SPENT ON IOWA HIGHWAYS

A total of \$13,000,000 was spent in highway construction work in Iowa in 1923, according to figures contained in the tenth annual report of the state highway commission made public.

The report shows that during the year, 1,300 miles of primary roads were constructed. This the report shows, included paving, graveling and grading. It is now possible, according to the report, to go from Des Moines to thirty-six county seats either on gravel or paved roads.

In 1923, the commission received approximately \$2,500,000 federal aid.

MORE LIGHT ON TOURIST CAMP DISCUSSION

The Iowa League of Municipalities gives some effective support to the contention of Park Superintendent Rounds that "service at cost" should be substantiated for "free service" in tourist camps. The League reports that it will prepare and promote a uniform fee system for all Iowa Municipalities maintaining camps for motor tourists. It is stated that a similar plan has been adopted with good results in Kansas.

When the argument for "free" camps is boiled down it is discovered that individual communities offer this service free because tourists can obtain the same service free in other communities. The Des Moines city council has never had any thought of exploiting tourists for profit but the councilmen who are interested in giving taxpayers the full measure of protection have frequently pointed out that the so-called free service is far from free so far as Des Moines is concerned.

Service at cost would be a good rule for Des Moines tourists camps which offer real service in addition to camping space; providing the good reputation of Des Moines would not be injured by the maintenance of free service in neighboring cities. This is a problem which can be solved by such city organizations as the Iowa League of Municipalities. Cut-throat competition does not work any better in public business than it does in private business.

But no matter what the final result may be, a good purpose has been served by the general discussion of tourist camp regulations in Iowa and other states. We learn a valuable lesson when we discover that nothing offered to the public by government agencies is really free. Some form of taxation supports everything that is offered for "free" public use; and we all pay the bill either directly or indirectly. [Des Moines Capital.]

Los Angeles has an unrepealed ordinance forbidding street car conductors from shooting live game from the car platforms. But listen—Kansas City has a statute that is a true world beater:

"When two cars approach each other at a crossing," it reads, "they shall both come to a full stop, and neither shall start up until the other has gone."

Information Bureau

Questions Answered Free for Officers of Members of League of Iowa Municipalities

L. W. S.—Does a world war soldier pay a poll tax.

A world war veteran soldier is not exempt from poll tax. There has been no law of this kind passed as yet.

C. T. T.—We are going to use this calcium chlorid for dust protection and road builder on some of our streets. Can we use chapter 172 of the 37th General Assembly and assess against abutting property the same as for oils?

In my judgment you cannot use calcium chlorid on your streets and tax the cost up to the abutting property as you can in the case of oiling the streets. The state law specifically provides for the oiling of streets and does not say anything about calcium chlorid and the rule of law is that the cities and towns only have those powers that are specifically granted by the legislature.

F. B. Y.—Can you give me an idea of the cost of a three foot cement gutter and six inch curb as regularly used on some gravel streets.

A three foot gutter and curb would cost you about one dollar a foot, and curb alone about fifty cents a foot. Of course these figures are just estimates and there might be a considerable variation from this in any bids you might receive.

M. M.—Would you kindly let me know whether the city or property owner has to build the approaches from the sidewalk to the curb in the street.

The supreme court a number of years ago held that the city must build the approaches from the street to the property line, including the little square where the two sidewalks intersect. The law in regard to sidewalks sets out that the cost of sidewalks shall be taxed up to the abutting property and you cannot tax the cost of any sidewalk up to a property that does not abutt on the property.

A. C.—When the town votes bonds don't they cover all the territory included in the corporate limits of the town. The bonds in question are waterworks bonds.

The tax for waterworks and waterworks bonds is limited to property within the benefited district. Usually the council fixed this benefited

district to include all the property in the town except tracts of ten acres or more, used exclusively for agricultural and horticultural purposes. The state law specifically provides that tracts of more than ten acres used exclusively for agricultural or horticultural purposes cannot be taxed for any municipal purposes outside of a road tax, and for library purposes.

F. J. W.—We have on the outskirts of our town two half blocks without alleys. We are grading the street that these lots face and in order to get drainage we are grading pretty deep making entrance to lots almost impossible without pipe or tile.

What we want to know is who will have to put in these pipe or tile, the town or lot owners.

Where a street is brought to an established grade, it is the duty of the property owner to conform to this established grade and the town is not compelled to furnish an entrance to the lot. If there is no grade established on the street and the town simply grades the street and does not bring it to the established grade. then the town is under obligation to put in a culvert. On the contrary I know of no way in which the property owner can compel the town to put in a culvert under such conditions.

O. D. B.—A certain property owner had a private driveway leading from the street to his garage. The council decided to put to grade the street and sidewalk. This affected his driveway to the extent that he cannot drive in or out. The question is, who is to pay for the new driveway? The town or the property owner.

Where a street is brought to the established grade the property owner must furnish his own driveway or entrance to his own property. The law provides that where a permanent grade is established on a street and the city or town brings this street to the established grade, then it is up to the property owner to make his property conform with this grade, and if it is necessary to put in a culvert, or do anything else in order for him to get onto his property, he must do the work and pay the expense.

E. M.—Has the town council the power to order in a permanent sidewalk in any part of town?

The council has the right to order in permanent sidewalk anywhere in town if they comply with three provisions. First, that the permanent grade is established on the street; second that the street is brought to the established grade and third, that you have a sidewalk ordinance and comply with the provisions of the sidewalk ordinance in ordering in the walk. If a grade is not established on the street or you do not have a sidewalk ordinance or the street is not brought to the established grade, you cannot order in a permanent walk and tax it up to the property.

C. L. W.—The chairman of one of our committees has the habit of making purchases of material and supplies for street work without the matter being brought in the regular way at the annual meeting and his being authorized by the council to do such work and make these purchases.

Is the finance committee obliged to O. K. these bills, by law, under the conditions, as I have stated.

No member of the council or official of the town has the power to bind the town in any way without action of the council. The council can authorize a chairman of a committee or a committee to make purchases, but without this specific authority by the council, no chairman of a committee or no committee has the right to purchase or incur any debt or obligation for the town. Of course if the council allows bills contracted by the chairman of a committee it is all right to pay the same, but on the contrary if a chairman is not authorized to incur an obligation and does so, the person selling the material cannot collect from the town.

W. E. G.—A bus company intends to start a bus line and requests the mayor and town council to grant them permission to go through the town also to stop and let off and take on passengers. Now the town council would like some information as to what you think would be a fair compensation in regard to license fees, also if would draw up a resolution for the council to act on or an agreement between the bus line and the town.

My understanding of the law is that a person to operate a bus line must secure a permit from the state railroad commission, and that after such permit is secured from the railroad commission, the only power that cities and towns

have is to fix the street over which the bus shall be run. The license fees are paid to the railroad commission and by them pro-rated to the different taxing bodies, in proportion to the miles of highway over which the busses run. If the bus line you speak of has a permit from the railroad commission then about all that the council can do, is to fix the streets over which the busses shall be run within the town limits.

A. B. M.—We have an ordinance which prohibits the sale of fire crackers and other explosive articles without permission of the mayor. We have a firm that has been selling and keeping a disturbance with them till late into the night. We have told them it must be stopped till two or three days before the 4th of July as the people are complaining and he refuses, can we stop same and will our ordinance stand or would it conflict with state laws.

I do not know the wording of your fire cracker ordinance, but the chances are that it is one that you received from me and if the ordinance is all right it can certainly be enforced. any event, the mayor is not supposed to pass on the legality of the ordinance or the constitutionality of the ordinance, but is supposed to take the ordinances as they are and enforce them. If any one arrested under the ordinance believes the ordinance to be invalid he has the right to appeal his case to the district court, and the district court will pass on these questions. The chances are however, that no one will appeal the question because the big majority of cities and towns have an ordinance prohibiting the sale of fire crackers and enforces such ordinance.

R. E. C.—Where two streets cross, a lamp post is located in the center of the thorofare. The post sits on a tile three foot high and said tile is filled with cement. A red globe is used on the pole wherein is placed the bulb. Can the town legally leave this post in this location without incurring danger costs in case any one runs into it and sustains damage therefrom? Does the red light or the fact that a light burns on the post remove possibility of liability in case of legal action of any injured person?

I have always held that it is a risky thing for a city or town to place an obstruction anywhere in the streets even though it be a lamp post located in the middle of the street at an intersection or a flag post. I have always felt that sooner or later some city or town is going to be penalized in damages to a considerable amount on account of someone being injured by driving

into such post. The state law makes it the duty of the council to keep the streets free from obstructions and if the council places an obstruction in the street, I cannot think of any defense they could have in case of injury to any one.

I might add that a great many cities and towns have placed posts of one kind or another in the street at street intersections, and so far as I know no city or town has as yet been obliged to pay damages on account of such accident, but in my judgment it is only a question of time when some town will be obliged to do so.

E. R. D.—We have a gas war started in this town, and are apt to be up against a proposition that is new before long. We are unlucky enough to have in our town, at least two sidewalk gas pumps, both of which are on concrete bases, probably two feet square, the inside of which are flush with the sidewalk curb, leaving the pump on and over the street, instead of the sidewalk, and I believe we have another that is wholly on the sidewalk. Now another party, owning a lot within 25 feet of the door of the postoffice says that he is going to erect a pump in the street, so that it will be far enough out to let cars drive on both sides of it, making it at least 8 feet from the sidewalk in the middle of main street.

The state law gives cities and towns control over inflamable oils and this gives them all the power they could possibly have over all kinds of filling stations. The council can adopt any kind of an ordinance it desires in regard to gasoline and other inflamable oils and could provide that all filling pumps should be inside of the curb line or not to exceed two feet or three feet outside of the curb line. If the council could desire, they could certainly pass an ordinance that would leave the present pumps in place and prohibit the man you speak of from placing pumps out in the street seven or eight feet.

I do not believe you can prohibit any man from putting in a pump and allow others to do so, but as above suggested you can adopt any general rule you want and if you desire, could order all of the pumps off from the streets and off from the sidewalks. Even if the council did not have control over inflamable oils, they do have absolute control over streets and can prohibit gasoline pumps, hitching posts, sign posts or anything else from being located on the streets, anywhere from property line to property line. The only limitation on this power is that any rule must be uniform.

F. B. Y.—Our town has decided to put in a cement curb and gutter. We have a petition signed by all property owners in the district with the exception of one who owns seventy-five feet of frontage. This man says he will not pay unless he is forced to do it.

Will it be necessary to pass a resolution of necessity for all property concerned in this improvement, or can we just pass it for this man's property. It was the intention of the council to have this work done as cheaply as possible and they thought it would save legal expense by getting this petition of mutual agreement but this one man has blocked this procedure.

If we go ahead with the work and when it is finished can we then pass a resolution of necessity and curb this property at the owners' expense? We are anxious to do this work so kindly advise at your earliest convenience.

There is nothing in the law that would prohibit your ordering in a cement curb and gutter in front of one property owner and taxing the entire cost of all of the proceedings up to this property. So long as all of the rest of the property owners are willing to put in the curb and gutter without the expense of advertising, I suggest that you order in the curb and gutter only in front of this one place. It would seem to me that if this property owner is informed that the council is going ahead and order in this curb and gutter in front of his property, and will tax all of the costs of the proceedings up to him, that he would be willing to go in with the other property owners, rather than be obliged to pay all of the expense himself. There is no question but what you could do this and even if there is a question it would cost this property owner several times the cost of the curb and gutter to contest the assessment, that you would make. It would be neccessary to pass the resolution and advertise for bids in fact, to strictly comply with the law so far as this one property owner is concerned, in order to tax the cost up to him. I inclose you a statement of the law in regard to the curb and gutter and assessing the cost up to the property. I advise that you take this matter up with the property owner, and let him know that if he does not come in with the rest of the property owners, that it will cost him much more to have the resolutions passed, advertisements for bids, contracts made, and an assessment levied against his property. I am very sure that these proceedings would cost much more than the cost of the curb and gutter and he would be obliged to pay for these expenses as well as for the cost of the curb and gutter.

J. M. N.—The part of town that has been voted into the corporation has not yet been platted and recorded. The reason is because we have been unable to secure a surveyor to do it. We have been trying hard ever since last fall to have it done, but have not yet succeeded. Now in the coming election is it possible for the people living in that part of the town to have a vote? We know that their vote will be challenged. In case they have a vote in this town election what procedure shall we pursue when their vote is challenged? The county officials grant us that the part is in the corporation, but say they will not give us the taxes until it is platted and recorded.

The county officials are wrong in holding that you are not entitled to your tax, because the territory taken in has not been surveyed and platted. Under the law where the town limits are established by vote, as I imagine yours were, and the mayor issues his proclamation to the effect that the limits have been extended, the limits are extended from that date and there is no other action necessary on the part of the council. If you extended your limits in this manner you should receive the taxes from the property and certainly the people living in the extended limits have the right to vote at your election. Unless there is some different condition in connection with the extension not set out in your letter all of the people have a right to vote and you should receive the taxes from the property in the extended limits.

HIGHWAY SAFETY

The folly of closing the door after the horse is stolen.

This old saying applies to some of our highway officials who do not protect dangerous places on their highways until after accidents have occurred, and probably a death resulted. Over 15,000 lives were sacrificed on the highways of our country last year, and nearly two million accidents occurred. Had the hazardous places been protected, these figures would have been materially reduced.

The necessity for proper warning signs and and signals should be given earnest consideration by our highway officials in Iowa. Our state is one of the leading states as regards the number of automobiles in use. We are bound to have

hundreds, possibly thousands of accidents on our roads during the year 1924. In one state, the auto insurance companies have taken issue with the county officials about paying damages where accidents occur at natural hazards on the highways that are not protected by the county officials. If this condition becomes general, the motorists throughout the country will certainly bring pressure to bear upon their highway officials.

Not only should caution signs that warn during the day be put up, but proper warning signals for night time use should be installed. Statistics show that most killing accidents occur at night.

OCCUPATIONAL TAX IN TOLEDO

Toledo recently passed an occupational tax. The primary tax for retailers is \$6.00 per year, for manufacturers \$8.00, and for wholesalers \$10. This tax is increased according to the number of employees, \$2.00 for each employee up to 100, \$1.00 for each from 100-500 and 50c each for all additional. Doctors, lawyers, engineers and other professional men are \$10.00 with \$2.00 additional for each employee. The different special businesses have rates varying from a few dollars up to \$15.00 for some of the large public utility corporations.

ALIEN SOFT DRINK VENDORS

Many advocates of the repeal or modification of the present prohibition laws point to the large number of aliens engaged in the liquor traffic. Unquestionably many foreigners have prospered by manufacturing or selling liquor in violation of the law. Former saloon men and ex-bartenders now in the bootlegging game are reported as complaining that the competition of aliens and foreigners makes it difficult for an American citizen to make a living. However this may be, an ordinance of the City of Niagara Falls, licensing soft drink parlors and making aliens ineligible to receive such licenses, was recently held valid by the New York Supreme Court, Appellate Division, Fourth Department, in the case of Miller vs City of Niagara Falls, 202 New York Supplement, 549, in an opinion by Mr. Justice Sears in which the discrimination is upheld as within the police power.

Why Badger Water Meters save money—

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Badger Disc Meters
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Extra heavy gear trains, careful design and choice of materials to avoid corrosion and eliminate friction as far possible, ample frost protection by means of breakable bottom plates, these are just a few of the points that insure long, accurate, and therefore economical, service on the part of Badger Water Meters.

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Badger Meter Manufacturing Co.

111 West Washington Street CHICAGO, ILLINOIS

No matter what the water service is there is a Badger Meter to measure it.

Special Road Oils



Furnished or Applied

Make Your Streets Dustless and Mudless

We furnish all'equipment and experienced men to apply our Special Road Oil on streets.

The above photograph shows the surface being evenly covered with hot material under pressure. A man is seated on the rear to best operate the distributors.

Over 125 cities and towns now use our Special Road Oils exclusively. The entire cost is usually only 4c, to 6c, per square yard. Have our representative call with no obligations to you.

IOWA ROAD BUILDING COMPANY

417 TENTH STREET

DES MOINES, IOWA

NEW AIR LIFT HANDBOOK

Bulletin 71-H just issued, of which copy has been sent to you, is, we believe, a little more than a catalog of air lift pumping equipment.

During the past eight or ten years, the scattered experiences of many engineers for a generation with this method of pumping deep wells, has been systematized, checked and improved, so that today methods and equipment are largely standardized. Overall efficiencies have been materially increased, and the variable factors in installation are now known and accounted for.

Among advantages acknowledged to pertain to the air lift when properly installed, are mentioned dependability, durability and simplicity; economy of operation, increased capacity from given wells, flexibility in output and in change of level, central control and improvement in the the quality of water pumped. Crooked wells are no bar to successful operation. Sand and gravel accumulations may be removed by "back blowing" and the effectiveness of the pumping unit is maintained over long periods.

In this new bulletin, which is more of a handbook of practice than anything hitherto issued on this subject, several typical and differing installations are discussed and the improved results secured in each are shown. A considerable variety of installations is also illustrated liberally, showing municipal, industrial, irrigation and railroad air lift plants, both at home and overseas.

The use of air lift boosters or re-lift apparatus is also discussed. Instructions for securing well data are given, together with a number of useful engineering tables. (48 pages)

Political Spellbinder: "We pay taxes and pay taxes. What I want to know—where do the taxes go?"

Voice (from audience:) "Up."

Are you making use of the information bureau.

If you will make use of this department you will be better satisfied with your membership.

It will pay you to study the advertising pages of American Municipalities.

REVIEW OF

HARDENBERGH'S HOME SEWAGE DISPOSAL is, as the author states in his preface, a handbook for use by health officers and health workers in the field. It fills a still more urgent need in providing a readable and yet authoritative manual of information for single homes, summer camps and other small units.

The need of scientific management of house wastes is forcibly presented in such chapters as "The Need for and the Results of Sanitation" and "Flies and the Filth-Borne Diseases." The appeal to the intelligent inquirer is increased by a chapter on "Chemical and Bacteriological Process during Sewage Treatment;" and constructive measures for community control are stimulated by an appendix containing model ordinances.

In this book Major Hardenbergh shows himself thoroughly conversant with rural conditions and has brought together in a helpful comparative way much of the valuable but scattered material prepared by various state health boards as well as the U. S. P. Health Service. The illustrations are clear and varied, and contain enough constructive details (workings, drawings, etc.) to aid the worker and to give him an idea not only of the cost but the work demanded by the methods suggested for the various situations.

It is the only general text available in this field, and we have already found it most valuable in our rural and public health classes here at Teachers college

Jean Broadhurst, Ph. D.

Contributions by the late Charles P. Steinmetz, Thomas A. Edison, Elihu Thomson and W. D. A. Ryan make up the first four sections of a 35 page booklet just issued by the General Electric Company, entitled "The Splendor of Well Lighted Streets." The remainder of the booklet is devoted to outlining some General Electric resources at the service of the public for the lighting of its cities. An attractive cover painted in colors by Walter L. Greene, one colored plate showing the colonnade approach to the Court of the Four Seasons at the Panama-Pacific International Exhibition and numerous other illustrations are included.

THE INSIDE STORY IOWA POSTER ADVERTISING

Welfare Poster Advertising Is Appreciated

YOUNG MEN'S CHRISTIAN ASSOCIATION First Avenue and Fifth Street Cedar Rapids, Iowa

"Dear Mr. Toms:-

"I want to take this means of again thanking you in the name of the Cedar Rapids Y. M. C. A. for your interest and co-operation in donating space on your bill boards for the display of Y. M. C. A. Posters. The co:operation of men like you in helping to get the service of the Association to the men and boys of our city is certainly appreciated.

> (Signed) LESTER W. CARLANDER General Secretary"

WALTON POSTER ADVERTISING CO., Perry, Iowa.

"Dear Mr. Walton:—

"The method of boosting for Perry recently displayed in Posters giving invitations to our Churches, also the Posters in the interest of Perry business houses, has met with the most favorable commendation from the Bureau of Commerce. Therefore, the members of that organization wish, in this manner to express their appreciation for your kindness and interest shown in donating this valuable service to the community.

(Signed) HELEN J. WHITE Secretary"

ROTARY CLUB of WASHINGTON, IOWA.

"Dear Mr. Simpson;—

"The Rotary Club of this city and the people of th[®] whole community are extremely grateful to you for the many courtesies that we have received at your hands in the free use of your boards in the advertising campaigns that you had to do with patriotic movements and in the campaign that the Rotary Club staged in an effort to create a better psychological condition with reference to the after-war business conditions. The Posting business is, I believe a permanently established, useful business, a very helpful adjunct to the other forms of advertising all of which are so essential to the business prosperity of the country.

(Signed) ORVILLE ELDER President Washington Rotary Club"

Iowa Poster Advertising Association

J. B. Stewart, Pres. Clinton

A. J. Busby, Vice-Pres. Fred E. Trainer, Secy. Elbert Payton, Treas.

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Iowa Valve Co.

Oskaloosa, Iowa

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it is composed of the highest quality of materials so combined as to give maximum stability and wear in a resilient waterproof surface.

Warren Brothers Company through its extensive laboratory and field inspection and research organization has spent more than twenty years in perfecting the selection of the proper materials and the most efficient methods of using them.

Every square yard of pavement constructed is laid under the supervision and with the advice and collaboration of Warren Brothers Company, whose interest in securing the best results is greater than that of any contractor, official or property owner.

More than 97,000,000 square yards have been laid in over 650 cities and municipalities throughout the world, many cities using no other type of pavement, and a large majority awarding repeat contracts for Warrenite Bitulithic year after year.

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Well Water Dependability

IN midsummer, when the peak load comes on your plant, for lawn sprinkling, gardens and streets, or for manufacturing, you will want the maximum output from your wells, week in and week out.

Curtailment of flow, or equipment breakdowns then will mean serious trouble, it ury to health and property, curtailment of output.

Safeguard your town or plant against water shortage then, by installing a

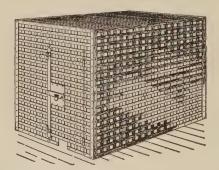
Sullivan Air Lift System

New Bulletin 71-HI will give you the reasons

Sullivan Machinery Co.

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STEEL CELLS



Many small towns do not have a jail, but often need such a place.

A single steel cell, placed in your town hall, fire station or other place will be all you need.

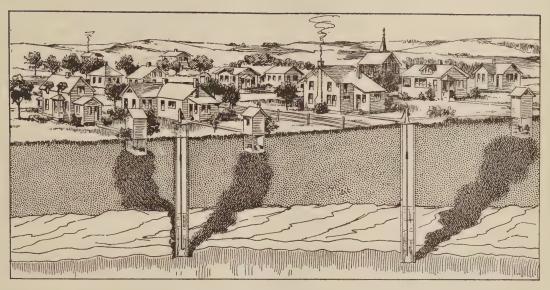
A steel cell like the above will accomodate two prisoners. It will answer all your needs

Write for catalogue and prices. Also Complete Jail Equipment

Municipal Supply Co.

Marshalltown, Iowa

Is This a Picture of Your Town?



Privy Vaults and Cesspools Leaking Into Your Wells.

COUNCILMEN:

Are you going to sit by, and let this condition exist in your town? It can be corrected by the COUNCIL showing the property owner, for how small a cost he can have a Sanitary Sewer System for his home and thus protect the life of his family.

Three-fourths of all town wells examined last year by our State Board of Health show this condition, endangering the health and physical condition of the citizens of our smaller towns. Proven conclusively by the examination statistics of the recent draft boards. These conditions causing typhoid fever, dysentery, hookworm and tuberculosis, have been eliminated in our cities by building sewer systems, which may now be built at small cost.

We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the *State Board of Health* and must be built eventually by every town.

Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

V. D. COBB, Iowa Secretary INDIANOLA, IOWA

"OUR SERVICE IS WITHOUT CHARGE"

Classified Advertisements

Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

FOR SALE—Rumley oil pull Tractor 16x30. Priced to sell. If interested write B. Tallman, city clerk, Creston, Iowa. 624

FOR SALE—A 50 ft. steel tower in good shape. capable of sustaining 50,000 gal. of water. Town of Schaller, Mamie E. Currie, Clerk.

FOR SALE—Power Pump 150 gal. per minute Mfg. by Union Steam Pump Co. Battle Creek, Mich. If interested write G. E. Scoles, Town Clerk, Nashua, Iowa. 624

FOR SALE—Second hand air pressure water tank, 8' Diameter x 36' Long. Capacity about 9,500 gals. This iron tank is in good condition and will stand inspection. The town agrees to remove same from building for convenience of purchaser. Sealed bids will be received not later than July 1st, 1924. Write R. C. McKiernan, town clerk, Ainsworth, Iowa, Box 82.

WANTED—One used 30-40 ft extension ladder, one 10-12 ft roof ladder and one hand drawn 40 gal, chemical tank complete. Address T. C. Burson, Clerk, Thurman, Iowa.

WANTED—To buy a single head type electrically operated fire Siren. Address R. J. Camp, city clerk, Shambaugh, Iowa. 424

FOR SALE—1-50 horse Fairbanks Morse Engine, 1 belt size 12 in wide by 38 feet long. These are in good repair and will be sold cheap. Write L. V. Pulver Clerk, Town of Bayard.

FOR SALE—A horse drawn Road Oiler, 500 gal. capacity; in good condition. 1 second hand Fire Bell. Price on application. L. F. Albers, City Clerk, Fort Madison, Iowa.

FOR SALE—Second hand 7½ HP., 110-220 volts, 60 cycle 1 phase 1750 rev, AC Wagner Electric Motor with pulley 5x4½ x1.9 and 220 volt starter; will sell for one half of cost, reason for selling it being too small for our work, if interested write C. T. Tollefson, Town Clerk, St. Ansgar, Iowa.

FOR SALE—City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable documentfiles 13½ in x 4 in x 10¾ in. Cupboard: lock doors and drawers 30 in wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

FOR SALE—One hundred eighty lineal feet of five inch wrought iron well casing which was taken out of the old well, but in good condition. For sale at twenty-five cents per lineal foot, F. O. B. Ryan. J. E. Cody, Clerk, Ryan, Iowa.

FOR SALE—One two story building located in Fairfield Iowa, built in 1920 out of hollow tile, rents for \$100.00 per month with a five year lease dated April 1st 1922, priced to sell, we need the money. L. F. Frye, Treasurer, West Point, Iowa.

WANTED—One second hand one-man steel cell. State price and address. W. M. Taylor, clerk, Ioreton, lowa. 724

FOR SALE—1 75H. P. Meitz Weiss Oil engine, 150 H. P. Meitz Weis Oil engine; 150 H. P. Meitz Weitz Oil engine; 150 H. P. Meitz Weitz Oil engine; 137½ K. V. A. Generator; 150 K. V. A. Generator; 1 switchboard; 1 ten thousand gallon undergraund supply tank; 1 six thousand gallon pressure tank used as a supply tank. The above are the principal items of a fully equipped electric lighting plant now offered for sale. Will sell any rart or all of the above. Write, L. N. Roose, Clerk, Charter Oak, Iowa.

FOR SALE—1 Tugersall Round Air Compressor, complete, with 35 H. P. Motor and Belt automatic oil pump. 12x7½x 10 type 10-2. In good running order. City Clerk, Tipton, lowa.

POSITION WANTED—Man with technical education and fifteen years practical experience, erecting, operating and managing city light and water plants also surveying for sidewalks, sewers and water mains will be open for position about April 15th. References. Frank Pierce, Marshalltown, Iowa.

WANTED—Single unit chemical fire engine in good condition. Please state price and condition E. H. Edwall, Clerk, Rembrandt, Iowa. 424

STEEPLE-JACK — Painting and Cleaning of Watertowers, Standpipes, Smokestacks and Steeples. Prices right. R. W. Cox, Box 673, Mason City, Iowa.

WANTED—A good used 25 to 50 HP fuel engine, O. F. Mangold, Councilman, Brighton, Iowa. 224

WANTED—A second hand Electric Siren. State price in first letter, W. S. Shaffer, Town Clerk, Colesburg, Iowa.

WANTED—A fire alarm or an Electric Siren. Ben Haselhuln, Town Clerk, Melcher, Iowa. 224

FOR SALE—One 8x10 belt driven plunger pump, in good condition, also one 8x10 geared plunger pump, in good condition and, one Goulds centrifical pump. Address inquiry to A. J. Bryant, City Clerk, Sigourney, Iowa.

FOR SALE—Two deep well pumps, one 20 h. p. gas engine, 20 h. p. A. C. motor, and other pumping equipment. Write Verlin L. Sweeley, town clerk, Adel, Iowa.

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Mason City Muscatine Red Oak Sloan Valley Junction Wapello Michigan Birmingham

BirmIngham
Dearborn
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Royal Oak

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Madison
Platte
Sioux Falls (State H'wy)
Watertown
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Booklet V-1 describes Vibrolithic more fully. We will be glad to send it on request.

Tax-payers today judge pavement almost solely by the riding qualities and appearance of the surface. If it is free from waves, bumps and cracks, they are pleased.

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Mason City, Iowa



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Write for Samples and Prices

Municipal Supply Co.

FRANK G. PIERCE, Manager Marshalltown, Iowa

How About Your Ordinances

Many cities and towns, especially towns, have not had their ordinances revised for a number of years.

In the meantime many changes have been made in the laws, so that many ordinances are now in conflict with the provisions of the State law.

Would it not be better for you to spend a reasonable sum and know that your ordinances are legal in every particular and up to date in every way.

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Marshalltown, Iowa

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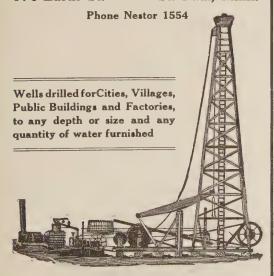
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Tropic



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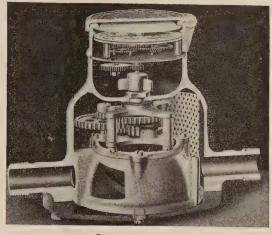
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Hersey Disc Water Meter H. F. adapted for use on 5".8", 3"-4" and 1" services where extreme accuracy, reliability and durability are required.

The water commissioner of Mr. Brown's city personally supervised the removal and testing of Mr. Brown's meter. Mr. Brown was suspicious. He would not permit the water commissioner to run a preliminary cubic foot of water through the meter in order to remove the air. Here in the result of the test.

1 cubic foot, % inch stream, weighed 63.00 lbs. or 99.2% accurate.

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weighed 63.00 lbs. or 99.2% accurate.

Hersey Disc Meter No. 389,704 referred to above was set in August 1915 and was tested in 1918 and again in 1924. It has registered accurately for 9 years and is good for still more years of service.

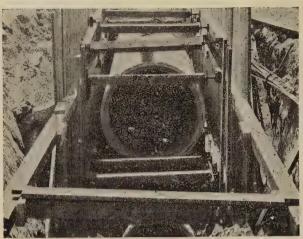
Hersey Water Meters favor neither the consumer nor the water department. They are accurate revenue computing machines which can be relied upon for years of dependable service.

6702

WATER METERS

HERSEY Manufacturing Company

Main Office & Works: Corner E and 2nd Sts., South Boston, Mass.



Upper is Concrete Storm Sewer. Internal diameter 66" Lower is Concrete Sanitary Sewer. Internal diameter 42." Dubuque, Iowa



Concrete Lateral Sewer Internal diameter 24" Portland, Oreg.

Concrete Meets Every Sewer Requirement

Concrete Pipe Sewers in America are 80 years young. The first one of record was laid in 1842 at Mohawk, N. Y.—more than eighty years ago.

Concrete Pipe Sewers have been in use in Hudson, N.Y., since 1867; in Nashua, N. H., since 1868; in Kokomo, Ind., since 1873; in North Adams, Mass., since 1874; in Butte, Mont., since 1889.

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Concrete Pipe Sewers sustain the earth pressure in deep trenches. Even when they are near the surface, they meet all requirements for supporting the weight of traffic.

Due to the impermeability of well-made Concrete Pipe, leakage and infiltration are eliminated. Concrete Pipe are true to shape and form. As a result their smooth interior surface provides maximum flow capacity.

These are a few of the reasons why so many municipal engineers are giving preference to Concrete Pipe Sewers.

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Concrete Sewer Pipe is manufactured in standard sizes from 4 to 108 inches, internal diameter. The smaller sizes are unreinforced and meet specification requirements of the American Society for Testing Materials. Larger sizes are reinforced. Our booklet C-3 tells many interesting things about Concrete Pipe Sewers. Address nearest office for your copy today.

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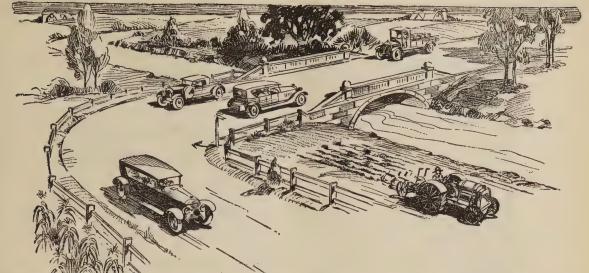
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Good Roads Pay for Themselves

INVESTIGATE carefully and you'll find that the cost of trying to keep poor roads in passably good condition is as great as, or perhaps greater than, the cost of making good roads of them by using Standard Asphalt Road Oil. To prove this you only need to look facts and figures in the face.

It is the maintenance of the poor roads, not the good ones, which eats into your road funds. It is the poor roads which require side ditching, grading and patching so frequently during the year. Rains soak into them, traffic cuts into them and they become quagmires.

Properly graded and oiled with Standard Asphalt Road Oil, these roads will turn water like a duck's back. They will hold their grade and will require but little further attention during the year. The saving in maintenance costs will pay for the oil. By applying Standard Asphalt Road Oil each year you will be building a firm foundation for the construction of a permanent type of asphalt paving at a later date and you will enjoy the benefits of good roads from the very outset.

The staff of road engineers which the Standard Oil Company (Indiana) maintains to assist city and county commissioners and road men in the solution of road building and maintenance problems is at your disposal at all times. They are prepared to furnish you valuable information on all road work and will gladly help you work out a really constructive road improvement and road building program. To avail yourself of their services will place you under no obligation.

You will find our books, Standard Asphalt Road Oil and Stanolind Paving Asphalt, of great value. They point the way to the most economical and most satisfactory road construction.

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Build with TERRA COTTA for Beauty



(Interior of Fidelity Trust & Savings Bank, Chicago. A. H. Andrews & Co., Architects)

The Value of Terra Cotta for Interiors

The interior of this bank — walls, panels, pilasters, columns, entablatures and counter screens — finished in an exquisite old-ivory Terra Cotta, is unsurpassed for quiet dignity and architectural beauty. The very tone and character of the decorations inspire confidence. Yet this implied richness is far from being costly.

But this is not all. Terra Cotta is fire-proof. When both exterior and interior are constructed of Terra Cotta the entire building is fire-proof—practically indestructible.

Terra Cotta is as economical for interiors as it is for exteriors. The Terra Cotta Service Bureau, 128 N. Wells St., Chicago, telephone Dearborn 4251, will give you full information on how to build economically in Terra Cotta.

American Municipalities

August, 1924

Vol. 47, No. 5

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, - . . \$1.00 per year Advertising rates made known on application

"For forms of governmen let fools contest,
What'er is best administered is best."

Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

Annual Convention at Mason City, August 19-20-21.

Read the program in this issue and you will want to attend.

Every one of the nearly six hundred members should have one or more delegates in attendance.

We want you to send delegates even if your municipality is not a member and see for your-self just what the League is doing.

The state law authorizes cities and towns to join the League and pay the expense of two delegates to the convention of the League.

Your council should arrange to send two delegates and the delegates can well afford to spend the time.

If you are having trouble with some municipal question bring it to the convention and we will solve it for you.

Copies of this issue are being mailed to every city and town in Iowa so that the officials of the municipalities that are not members may know of the convention.

These extra copies are made possible by the extra advertising carried in this issue and municipal officials should appreciate the co-operation of the firms carrying space in the magazine.

If you are in the market for material or supplies of any kind look over the advertising pages and write the firms that help us.

One of the important questions to be considered at the Mason City convention is that of tourist camps.

Cities and towns have tried to outdo their neighbors in so far as the services at free camps are concerned and in many places this extra outlay has become a real burden.

At Mason City an effort will be made to adopt a standard policy in regard to tourist camps and this is a question in which almost every city and town is interested.

Many other questions of direct interest to your municipalities will come up for discussion and you should be represented.

Remember the dates August 19-20-21.

ORDINANCES

We have revised the ordinances of several towns already this year but do not have any in the office just now. If you are thinking of having your ordinances revised write in for terms and if you decide to go ahead we can get out your set at once. It is better to attend to this now than to wait until the term of the present officers are about to expire. If interested write the Secretary of the League.

TO STANDARDIZE CAMPS

Recommendations standardizing tourist camp regulations in Kansas cities were adopted at the recent meeting of the city officials in Topeka. Standardizing of tourist camp services including water and sanitary facilities; a fifty cents per day charge, and registration were the three main regulations adopted. The officials attending the conference agreed that the increasing tourist population made these regulations necessary.

NEWS FOR MOTORISTS

An ordinance passed in 1902, as amended in 1906, decrees that before any automobiles may be operated on the streets of Philadelphia "a certificate shall have first been procured from the bureau of boiler inspection." The certificate is not to be issued unless certain condtions are met. Among other things, automobiles of a dead weight of over 500 pounds must have "machinery for backward motion," and the steering gear must be "so grouped that the driver can

manipulate the same while watching his route."

According to the same ordinance manufacturers of automobiles, whether in Philadelphia or elsewhere, must submit to the bureau of boiler inspection for examination every type of car made by them, and "shall have the power to deliver to the public any number of carriages constructed after the types which have been certified to meet all requirements." No one is to drive an automobile without a license issued by the department of public safety. An exception is made of "drivers . . . from other cities while passing through Philadelphia," provided their soujourn does not exceed 48 hours.

Another ordinance, approved in 1906, requires that automobiles carry "as a note of alarm or warning that which is commonly known as the toot-horn or horn, sounding one note only," and makes it "unlawful to sound or blow any other contrivance or instrument while being operated [sic] within the city limits."

One need not own or operate a "machine" to know that these provisions do not belong in the picture of present-day realities. But they seem never to have been repealed by later ordinances. What has happened is that they have been rendered ineffective by the state laws which have taken possession of the field. They are as ineffective as if council had repealed them, but if one had no source of information concerning the regulation of automobiles except the city ordinances, he would have to conclude that the provisions we have mentioned were binding—toot-horns and all.

Come to Mason City

The Municipal Officials and all of the People of Mason City want you to attend the Meeting of the League of Iowa Municipalities at Mason City August 19, 20 and 21.

J. H. McGHEE, Mayor E. S. SELBY, President Chamber of Commerce

Twenty-Seventh Annual Convention

Program For Meeting of League of Iowa Municipalities at Mason City

Tuesday, August 19

10:00 A. M.

Reception and Registration of Delegates.

Main floor, Hanford Hotel.

FIRST SESSION

1:00 P. M.

Call to order:

Banquet room, Chamber of Commerce.

Addresses of Welcome.

Hon. J. H. McGhee, Mayor of Mason

City,

Mr. E. S. Selby, President of

Chamber of Commerce

Response and President's Annual Address:

Hon. A. E. Gnagy, Mayor of Waterloo.

Report of Secretary-Treasurer:

Frank G. Pierce, Marshalltown.

Report of Committee on Legislation:

Hon. W. A. Hunt, City Solicitor of

Ottumwa.

Discussion by Delgates:

Paper: Tourist Camps,

Hon. Fred E. Trainor, Mayor of Ackley.

Discussion by Delegates:

Paper: Should City Work Be Done By

City Labor?

Hon. C. V. Findley, Mayor Ft. Dodge.

Appointment of Committees:

Resolutions Committee

Question Box Committee

Auditing Committee

General Business

Adjournment.

4:00 P. M.

Automobile ride about city. Start from Chamber of Commerce. Municipal Water Works, Sewage Disposal Works, Incinerator and other points of interest.

6:30 P. M.

Banquet:

Banquet Room, Chamber of Commerce.

Wednesday, August 20

SECOND SESSION

9:00 A. M.

Department Meetings:

Cities Under General Law: Committee

Room, Chamber of Commerce.

Hon. Hugo Gebert, Councilman of

Denison.

Cities Under Commission Government:

Board of Directors Room, Chamber of

Commerce,

Hon. Thos. J. Smith, Mayor of Burlington.

Attend League Meeting

Every Municipal Official in Iowa, whether their Municipality is a member of the League or not, is urged to attend the Annual Meeting of the League of Iowa Municipalities at Mason City, August 19, 20 and 21.

A. E. GNAGY. President FRANK. G. PIERCE, Secretary League of Iowa Municipalities Towns: Banquet Room, Chamber of Commerce,

Hon. E. G. Edwards, Mayor of Alden. Accounting Officers: City Clerk's Office,

City Hall,

Hon. Chas. C. McKay, Clerk of Waterloo.

Solicitors: Office of City Solicitor

Hon. E. R. Tipton, City Solicitor of Muscatine.

THIRD SESSION 1:00 P. M.

Report: Committee on Light and Power, Hon. W. Z. Long, Mayor of Spencer,

Discussion by Delegates:

Address: New Budget Law.

Hon. F. L. Maytag, Budget Commissioner.

Discussion by Delegates:

Address: Playgrounds.

Mrs. E. A. Boggs, Waterloo.

Discussion by Delegates:

Report: Committee on Judicial Decisions.

Hon. G. A. Minnich, City Solicitor of Carroll.

Report: Committee on Franchise.

Hon. E. R. Donohoe, Councilman of Pocahontas.

Discussion by Delegates

Adjournment.

6:30 P. M.

Trip to Clear Lake.

Thursday, August 21.

10:00 A. M.

Special Order of Business.

Election of Officers

Election: Place of next Meeting.

Piper: Standard Paving Specifications

Hon. P. F. Hopkins, City Manager of Ames.

Discussion by Delegates.

Paper: Law Enforcement.

Hon. J. G. Harding, Councilman.

Report of Department Meetings.

Report of Auditing Committee.

Report of Question Box Committee.

Report of Resolutions Committee.

Unfinished Business.

General Business.

Adjournment.

The city of St. Louis has not extended its city limits for 48 years.

HOTEL RATES AT MASON CITY

Eadmar Hotel:-European.

without bath with bath e \$1.25, \$1.50 \$1.75, \$2.00

Single \$1.25, \$1.50 \$1.75, \$2.00 Double 2.50, 3.00 3.50, 4.00, 5.00

Cerro Gordo Hotel: - European.

Single \$1.50 \$2.00 Double 2.50 3.00

Hanford Hotel: - European.

Double bed and bath, 1 or 2 persons 4.50, 5.00 Room with twin bed and bath 5.00, 6.00, 7.50

These are all first class hotels, and while the Hanford has cheaper rooms they will not reserve the cheaper rooms, as first come first served each day on the lesser priced rooms.

CUTTING THE COST OF PLUMBING

Another material cut in the cost of building construction is assured the home builder who follows the directions included in a booklet "Recommended Minimum Requirements for Plumbing Installations in dwellings and similar Buildings," just released by the Department of Commerce.

This report which is the result of investigations and tests conducted under the direction of the Department's Housing Division co-operation with a group of distinguished engineers and expert plumbers, shows that a savings of from \$50.00 to \$100.00 can be effected in the plumbing costs of ordinary dwellings.

In conducting these tests, which continued over a period of two years, whole systems of piping and fixtures similar to those in use in the ordinary buildings were built, tested, and wrecked to make way for others more economical in cost, and efficient in operation.

The results disclose that the present customary house trays can be safely omitted; that many feet of vent pipe formerly thought necessary can be omitted; and that in innumerable cases three-inch pipes can be used in place of the four-inch standard as fixed by many municipal building codes.

The report includes a plumbing code recommended for adoption by cities and towns and gives detailed information for the economical design of plumbing systems, the choice of materials and fixtures and many other facts of interest to builders and home owners. Copies may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D.C. for 35 cents a copy.

Springfield Water and Light

Illinois City Makes Excellent Showing in Annual Report

Hon. Willis J. Spaulding, commissioner of public property, at Springfield, has just issued a very valuable annual report. One of the interesting things in this report is two pages of photographs of heads of departments and the time they have been with the department. This showing disproves the statement that public plants do not retain competent employees and the showing of the Springfield municipal plant will compare very favorably with most private plants. These employees and time of service are as follows:

Entered Service
1894
1895
1907
1907
1909
1909
1909
1912
1915
1916
1921

This report contains much interesting and valuable information some of which is here printed.

DOES PUBLIC OWNERSHIP PAY?

Cost of electric current in Springfield, Illinois, compared with cost in other cities under private ownership.

1	50KWH	1500KWH	4000KWH
I	Lighting	Lighting	30 HP ACT
D	omestic	Comm'l C	Conn. Load
Springfield, Ill. (plant \$	5.28	\$ 30.00	\$ 68.00
owned by city.) In the			
following cities plants			
are privately owned:			
Bloomfield, Ill	15.00	100.50	166.00
Danville, Ill	. 11.25	84.00	142.00
Decatur, Ill	. 15.00	96.00	162.50
East St. Louis,	. 7.43	64.97	101.89
Elgin, Ill	15.00	73.12	213.00
Jacksonville, Ill	. 16.25	116.25	192.50
Peoria, Ill	6.84	55.28	98.10
Quincy, Ill	9.75	58.50	118.00
Urbana, Ill	13.00	97.50	174.00

Note: The Municipal Plant of Springfield makes a

special rate for Electric Cooking of 1½ cents per K. W. H. Minnimum Monthly Bill \$1.00. This is cheaper than gas; much safer and more satisfactory.

The difference between Springfield's rates and those prevailing in other cities cannot be accounted for by difference in cost of production. It is true that in some cases coal is higher, but the item of fuel in our plant is only about threetenths of one cent per kilowatt hour. So, even if this amount were doubled, there would be only a slight difference in the rate. As a matter of fact, some of these towns in the Comparison Table are supplied from stations having a much larger output than the Springfield Plant, and are probably producing current at the switchboard at even a lower cost. The difference in the rates, for the most part, represents the "toll" being taken by private monopoly.

To meet the rapid growth of business, additions and extensions were made last year amounting to \$165,463.08.

EXPOSE OF FAKE ATTACKS

The outstanding success of many Municipal Electric Plants is a source of growing anxiety to private electric corporations. Public water supply enterprises are much older than electric light and power plants. For many years a large proportion of the water utilities in the United states were owned and operated by private individuals or corporations. Gradually the cities began to take them over. Private ownership has been supplanted, until now there are comparatively few privately owned water plants. The National Electric Light Association, which represents the private electric and power interests, seems to fear that the same course may be taken in the electric field. There are shining examples of success in the municipal ownership and operation of electric plants all the way across the continent. These successes must be hidden or discredited lest they become "catching" and then "epidemic."

WHY THE ALARM?

The large Municipal Plant at Jacksonville, Florida, has paid into the public treasury over six million dollars in surplus earnings since it was established in 1893. The Cleveland Plant has a maximum rate of three cents per kilowatt hour. There is a large and successful plant at Holyoke, Massachusetts, and at Kansas City, Kansas; the little plant at Hannibal, Missouri, which paid for itself completely out of earnings and maintained street railway fares at 5 cents; the splendid plant at Seattle, Washington, which has grown up in competition with a private plant and is now practically master of the field; the plant at Pasadena, California, which reduced rates fifty percent and finally compelled the private company to sell its plant to the city at its fair value; the large plant at Los Angeles; our plant here at Springfield, which has made its way in competition until it now has nearly ten thousand meters in service, as compared with seven thousand by private company. The Hydro-Electric System (Municipal Plant) of Ontario, Canada, has become the largest electric light and power plant in the world, with an investment of more than \$250,-000,000; serving more than 250 cities and towns and charging the lowest rates in the world. There are many other examples of successful municipal operation in Canada. These and many similar examples which might be mentioned if space permitted, have resulted in growing fears of private owners bordering on panic.

THE CAMOUFLAGE DIVISION

For the sole purpose of discrediting municipal plants, a propaganda bureau has been organized, which, in the terminology of wartimes may properly be called the "Camouflage Division," which systematically spreads misinformation for the confusion of the public.

A favorite method is to have an alleged engineer make a so-called study and report. These reports are generally either brazenly false or figures are systematically garbled to secure the desired result. The greater the success of a municipal plant, the greater the activity of the the Camouflage Division.

Several attacks have been made on the Springfield Plant. In the first, the splendid success of our plant was explained away by making it appear that heavy annual losses in the Electric Plant were being made up by the taxpayer. But this was easily disproved by the official records.

Recent attacks have been along a different line. It is charged that for the purpose of mak-

ing a good showing, Water Works funds were being diverted to the use of the Electric Plant. Figures have been given out in support of this claim which were wholly false and had no basis in fact.

LARGE EARNINGS OF WATER WORKS

As evidence that the Water Works funds were being diverted, it is stated that while the Electric plant appears to be successful, the Water Works has never contributed a dollar to its capltal account, but is supported from taxation. cost was met from the sale of bonds totalling \$472,225. At the close of the fiscal year ending February 29, 1924, the total capital invested in the Springfield Water Works was \$1,570,-608.89. Of this sum, \$1,098,383.89 was paid direct from the earnings; in other words-70% of the total capital, and it is worthy of special notice that the major part of this amount was earned after the Water and Electric Plants were combined in 1914. Since these two utilities were consolidated, up to February 29, 1924, the gross receipts of the Water Works were \$1,719,-646.74, and of this sum \$690,753.09 was surplus or profit amounting to 40% of the gross receipts, by far the largest earnings ever shown in that department. During the same period, the gross receipts of the Electric Light Plant were \$1,346,540.70, and of this sum \$472,324.-59 was profit or surplus amounting to about 35% of the gross receipts.

The only tax money contributed to the support of the Water Works were the bonds issued in 1868 (56 years ago) for the construction of the original plant. To offset this item, the Water Department has furnished the City of Springfield fire protection, and water for all other public uses, free of charge, for 56 years, which, if paid for at prevailing private company rates, would have amounted to \$1,240,000; and in addition thereto the water department has paid into the city treasurer in cash \$226,000. Our water rates are the lowest in the state, the average domestic consumer paying less than eight dollars per year.

WATER RATES

It has been stated that water rates have been greatly increased since the utilities were combined, in order to make a good showing in the Electric Department. The contrary is true. The facts are as follows: January 1, 1914,

water rates were reduced more than one-third, the rate for domestic consumers being reduced from 25 cents per 1000 gallons, to $16\frac{2}{3}$ cents; and the minimum bill from \$1.50 per quarter, to 75 cents per quarter (3 months) less a discount of 10 per cent. It was soon realized that this reduction was too drastic, and eighteen months later the discount of 10 percent was withdrawn, and the minimum was raised to \$1.00 per quarter; the 10 per cent being placed in a special fund to pay for laying a 24 inch trunk line from the pumping station into the city, to cost approximately \$200,000.

August 30,1920, owing to the war increases in all costs, both water and electric rates were increased, the water rate being raised to 20 cents per 1000 gallons, where it still remains. But it should be noted that the rate is still 25 per cent lower than in 1914, when the utilities were combined. While reference has only been made to domestic water rates, the rates applying to commercial users were lowered and raised in approximately the same proportion. The increase in light and power rates of August 30, 1920, was 10 per cent for light, and 35 per cent for power.

NOTE: Our rates are now computed in cubic feet: 15 cents per 100 cu. ft. being equivalent (approximately) to 20 cents per 1000 gal.

The accounts of the water and light departments are kept separate, and in accordance with the uniform system as outlined by the Illinois Commerce Commission (formerly known as Utilities Commission,) which private utility corporations are required to follow. Accounts are audited each year by a certified accountant.

THEY SLIPPED AWAY IN SILENCE

In the early years of the Electric Plant, a rather unusual incident occurred: For fear water works funds might be used to help the electric plant in its infancy, the private utility company of Springfield sought and secured an injunction forbidding the use of water works funds for any other purpose. In 1916 two years after this injunction was issued, the company secured a court order by which its expert accountants were put in full charge of all books of account in the water and light department for the avowed purpose of proving that the accounts were not properly kept; that the electric plant

was not self supporting; and that water funds were being diverted from their proper use. These auditors were brought from outside the state. When they completed their investigation, they found that even though the plant had less than a thousand consumers, it was not only paying its way, but earning a profit. The auditors suddenly slipped away and no formal report was ever made.

ACTIVE HALF-YEAR FOR MUNICIPAL BOND MARKET

The month of June brought to a close the most active six months' period for State and municipal bonds in several years, says The Daily Bond Buyer of New York. Combined with a tremendous sale of new issues aggregating over \$800,000,000 for the period, a rising market stimulated extremely active trading among institutions of all kinds and stirred up a broad inquery for these tax free securities from private investors.

The highest individual offering made by a state or city was the New York City loan, for which public competitive bids were opened on June 3rd. The successful syndicate, after raising its bid at the last moment, resold the entire issue of \$57,400,000 $4\frac{1}{2}\%$ bonds within a period of about three weeks.

In addition to being called upon to absorb this huge total of State and city issues, two offerings of tax exempt Federal Land Bank bonds amounting to \$95,000,000 were successfully floated during the half-year.

The following table, compiled by the Daily Bond Buyer of New York, compares the total sales of State and municipal bonds in June and the six months' period ended June 30th for ten years:

	Six mos.
June	end. June 30
1924\$265,439,834	\$800,595,098
1923 171,081,681	616,089,620
1922 169,748,241	734,157,276
1921 125,976,321	508,092,302
1920 45,031,274	349,981,991
1919	308,888,442
1918 21,336,792	134,103,084
1917 30,411,059	215,151,673
1916 47,431,102	285,498,620
1915 104,687,010	317,156,056

Does Iowa Need a Utility Commission

By Frank G. Pierce, before Public Utility Conference at Iowa City.

In discussing the question as to whether or not we need a utility commission with powers of regulation, what I will say expresses my own opinion only, and while I believe, that, in a general way, it agrees with the opinion of the majority of the municipal officials in the state. I am in no way their spokesman, and what I say in no way pledges them to endorse the position I take.

My ideas are the result of many years of observation of the development of public utilities, contests over utility rates, and a greater or less interest in the different utility bills considered by the state legislature and the different utility laws placed on the statute books.

Three questions should be considered in a discussion of this subject; First, is state regulation a success; second, is local regulation a success; and third, would state regulation be better than local regulation.

STATE REGULATION

The statement is often made that state regulation is a success because it has been adopted in most of the states and discontinued in none. This is no more true than the statement that because the Volstead Act is violated in every state in the union, that the Volstead Act is wrong.

The plan of state regulation has been retained, not because the people are satisfied with the results attained from such regulation, but because it is an almost impossible task to pry a commission of any kind loose from the pay roll, when the members of the commission have once found that a state warrant can always be cashed without a discount. No man willingly gives up a place of power and income and the commissioners and all their employees, reinforced by an unlimited number of utility representatives, constitute an interested and paid lobby to see that the law establishing the state commission is maintained on the statute books.

The board of railroad commissioners in this state is a very good example of this fact.

The railroad commission at this time, has little or no power. With the development of railroad legislation and control by the national government, the state commission has no control over rates, and about all that they can do is to order in a railroad crossing or perform some other minor duty that in no way repays the tax payers of the state for the money they pay the commission, and its staff of employees. This is not a criticism of the members of the railroad commission, but is simply a local example of the impossibility of abolishing a commission, once it is established.

The evidence of the utility commissions or utility commissioners, that state regulation is a success is of little value in a discussion of this kind. It would be a queer kind of a commissioner who would say that the system that gives him a good job at a good salary is not a perfect system, or that he and his co-workers are not the most competent men in the world to solve any problem that might be presented to them.

Unfortunately it is almost impossible to secure any evidence in regard to the work of the state utility commissions except from the reports of the commissioners themselves. I cannot think however that the municipal officials in the states having state commissions generally believe that these commissions are any more intelligent than they are, or that the state commissioners are any more competent to decide what is best for the people, than are the officials chosen by the people.

In Illinois a committee, of which Senator Medill McCormick was chairman, was created in 1917 for the purpose of securing home rule for Chicago over its service corporations. The municipal officials of Illinois have at different times endeavored to secure the repeal of the utility commission law in that state. There is no case on record however where the utility companies have generally favored the repeal of a law creating a utility commission.

In an investigation I made about two years

ago in regard to telephone rates, I asked among other questions if the present system of control of telephone companies was satisfactory and if not what suggestions would be made.

In almost all of the returns from Iowa cities and towns, the report was that the people are reasonably satisfied and in many cases the mayor or municipal official making the return, claimed that their telephone system was the best system in the country in a town of that size.

Many of the officials in states having a public utility commission found fault with the conditions and in order to show that in those states the people are not unanimous in their approval of the commissions, even if the commissions and utilities are, I present a few of these suggestions.

ILLINOIS

Decatur

"I would say not. A little home control."

Charles M. Borchers, Mayor.

Macomb.

"Local control and local management. Intimate personal touch tends to better feeling between the public utilities and the public. Big companies are too impersonal."

B. F. McLean, Mayor.

Spring Valley

"In a general way the state utility commission handles matters in a manner unsatisfactory to the patrons of utilities. Control by each municipality of the utilities doing business therein. The system that obtained before this new fangeled idea of a utility commission was thought of."

C. W. Knapp, Mayor

Galena

"State utility commissions should be abolished. Local control cheaper and better. Throughout the state of Illinois there is a great objection to the state utility commission."

Aug. W. Thode, Mayor

O' Fallon

"Abolishment of public utility commission."

Ralph Rampmeyer, Mayor

Carlyle

"I was a member of the Illinois legislature when the present utility act was passed. It was about two years before the commission was really organized, and by that time the larger telephone companies had control of the commission or rather had their friends on the commission.

When the bill was passed I was for it, but its first few years of operation I was against it. Under the present administration I am for it. If you will always have a commission that will see both sides of state rate making, it will do much good; a commission that doesn't see things in the right light can do much harm to both the company and the public."

M. J. C. Beckwey, Mayor. INDIANA

South Bend

"There is great dissatisfaction with the public service commission."

Eli F. Seebert, Mayor

Gary

"Not satisfactory. Adequate provision whereby the municipalities may present its case before the commission in opposing increase of rates or increase of authority of municipal authority under franchise contracts."

W. P. Cottingham, City Engineer

Franklin

"There is quite a sentiment in this state against the state public service commission, especially regards to the other public utilities."

Harry C. Hougham, Mayor

Decatur

"Would suggest the total abolishment of the public service commission, and the placing of the control of rates and service back into the hands of local authorities. The creation of a public service commission in Indiana was one of the most pernicious pieces of legislation that has occurred in the state. At the present session of our legislature there will be at least six bills offered for the repeal or regulation of the public service commission law, and with a very slim chance of any of them going through by reason of a powerful lobby in the interest of the utilities League of Indiana."

H. M. DeVoss, Mayor.

Angola

"Commission control not satisfactory.

Consideration should be given to the patrons as well as to the utilities."

Orville Steirn, Mayor

MINNESOTA

Duluth

"Great complaint exists because of personnel of commission."

John B. Richards, City Attorney

Faribault

"Very unsatisfactory. The railroad and warehouse commission is incompetent to do so. That body is appointed by the governor or usually for political purposes and knows nothing generally about fixing phone rates. There are instances here, and quite a few of them, where independent companies were ordered by the commission to raise their rates when they did not need to and didn't want to. The only control for telephone companies or any other public utility company is local control."

Thos. H. Snow, Mayor.

Little Falls

"No. We are trying to get our legislature to pass a law taking this control away from the commission, and putting it back to municipalities."

F. M. Bingham.

Morris

"No. That rates be under control of municipality."

F. J. Haight

NEBRASKA

Norfolk

"Commission control not entirely satisfactory. Should have local control. Telephone company recently granted a ten per cent increase in rates by commission. Services in past two years has been poorer all of the time."

John Friday, Mayor

College View

"We find under the present system, that when a company makes request for raise they always get it, regardless of economic conditions."

S. J. Quantock

KANSAS

Atchison

"Not entirely. Our utility commission is not entirely satisfactory. Our utility commission is not able to spend sufficient funds on a case to get the proper returns. Evidence is too near all on the side of the company."

City Manager

Horton

"The telephone company seems to have the best of it when taken before the commission."

M. L. Ramsey, Mayor

Larned

"We have plenty of trouble over phone

matters and as yet have had no satisfaction. The board appears to favor the phone company in the past, or we as consumers and users have felt so."

G. W. Finney, Mayor

Peabody

"Commission control not satisfactory. We should have home control."

A. B. Summers, Clerk MISSOURI

Webb City

"Abolish public service commission. Let people make their own contracts."

A. G. Young, Mayor

Festus

"Present system not satisfactory. Suggest an elimination of public service commission."

B. C. Revis, Mayor

Harrisonville

"Our public service commission usually gives the utility companies whatever they ask. Take the matter out of the hands of the public service commission and put it back into the hands of the cities. I believe the Missouri legislature will call a halt on them, and am sure they should."

W. S. Byram, Mayor

Rich Hill

"Utilities should be controlled by the council. In our state it never seems to be any trouble for a public utility to go before the state commission and increase their rates. If a citizen has any complaints they don't seem to be able to get any place with them."

M. U. Annison, Mayor

Farmington

"I guess the public service commission is all right, but it seems in most instances it favors the corporations, at least they generally get what they ask for."

C. A. Tatley, Mayor

STATE COMMISSIONS

Just what is this control by state commissions. From all the information I am able to gather, it is a method of presenting the law, by lawyers who do not agree on the law, and the facts, by engineers and experts who do not agree on the facts, to a semi-judicial body who knows nothing of the rules of evidence and little of law or the facts.

There is one qualification that every mem-

ber of a public utility commission absolutely must have, and that is friendship for the corporations. It is an axiom in government that a man, friendly to the corporations, can be appointed to an office, when there would be no possible chance of his being elected to an office, and in most of the states with control by state commissions, the state commission is appointed.

Even if a man is not a friend of the corporations, when he is appointed or elected, immediately he becomes a member of a commission, the corporation managers and lawyers cultivate his acquaintance and this constant association with these men soon results in a close friendship, and then the commissioner naturally begins to think that these men are an especially able bunch of extremely honest executives and attorneys. He comes little in contact with the people, and the result is that instinctively his mind becomes imbued with the idea that the utilities are right in most every position they take, and that the representatives of the people are danegrous demogogs.

This feeling on the part of the utility commissions that the utility managers and lawyers are exceptional men and that the representatives of the people are of little consequence, sults that when a public utility makes a request of the commission, and it might be incidentally said, of the courts, especially the federal courts, there is no time lost in complying with the request of the utility, if there is any possible way to grant the request. On the contrary, if a city or town council or other representative of the people presents a request to the commissions or the courts, there never seems to be the least need of hurry and the request is continually postponed until the corporations are ready to have the question decided.

Many of our legal lights are constantly making appeals to the effect that the people should have confidence in the courts, and talk as if it were the fault of the people that the confidence is lacking, but in my judgment, until state commissions and the courts give the people and their representatives the same consideration and prompt service that they give the representatives of the corporations, the people will have little respect for either state commissions or the courts. If these functionaries desire to have the confidence of the people, they can easily secure such

confidence by treating the people with the same consideration that they now treat the corporations, and the corporation representatives.

Students of government wonder because the voters are discontented with present conditions and find fault because the people will not vote at the elections, but how can we hope for a contented people or how can we expect the voters to go to the polls when we take away from him all control over the local questions in which he is most vitally interested and leave to him only the necessities and comforts of life over which he has no control.

If utility control is to be in the interest of the utilities, commission control is the right solution, but if control is to be in the interest of the people, then control by the people is the right solution. Whether right or wrong, the people believe that they can look out for their own interests, and even though they may be compelled to pay a little more for the service received, the average citizen is better satisfied to know that he has some control over his affairs than to feel that he is at the mercy of a state commission with none of the members of which he is personally acquainted.

LOCAL REGULATION

In this state we have local regulation of electric power and gas. This regulation functions in several ways.

When a utility company desires a franchise, or the extension of a franchise, the people have control over many of the terms of the grant. The council has the power, subject to review, by the courts, to fix rates for service.

The greatest regulation and a power that is constantly influencing every utility manager, including even the telephones, is the fear of competition. Every manager and every owner of a public utility in this state knows that if he is too arbitrary, if his rates are too high, that the people may at any time vote to build a competing plant or in the case of the telephones grant another franchise, and then, whatever the outcome, the value of his property is greatly depreciated.

Many councils have passed ordinances fixing rates for service and so far as the people are concerned, there is no possible question but what they are pretty generally satisfied with the



Lower Power and Water Rates Improve Any Community!

NOTHING contributes as much toward better homes as an abundance of electricity and water: and this means that both must be available at rates that encourage their wholesale use. In every community where the municipal plant has been put on a paying basis, power at a few cents per kilowatthour and water at a trifling expense have changed the whole countenance of the town.

More than 2000 Municipalities have installed Fairbanks-Morse Equipment for Pumping and Electric Service.

What Some Towns Know

City Manager Whitfield of Terrell, Texas, writing to the mayor of another Texas community, says: "Based on the present prices paid for electricity by the citizens of Terrell, we figure that we are saving them over fifty thousand dollars per year, as compared with prices made in other cities by the Public Utility Companies and you will be doing your people a great favor by giving this matter careful attention."

A. H. Ringsrud, Mayor of Elk Point, South Dakota, has gone on record as follows: "Our installation consists of 100 and 200 hp. Type "Y" Engines, each direct connected to 3 phase, 60 cycle, 2300 volt, Fairbanks-Morse Generators. Our daily log sheet shows that we are using from 85 to 95 gallons of fuel oil, and approximately two (2) gallons of lubricating, and are generating 700 to 800 K. W. per 24 hours. Fuel and lubricating oil run from .8 to 1c per K. W.

"Our equipment has been in operation approx-

imately one year, without any repair expense, and our service has been the very best."

Saves \$1200 to \$1500 per Month

Mr. Carl Guin of Ballinger, Texas, writing to a Tennessee mayor, states: "This city purchased and is now running three 150 hp. Fairbanks-Morse "Y" Oil Engines and to say they are giving satisfaction would be putting it too mildly. indeed.

be putting it too mildly, indeed.

"Our city was pumping its water with a steam plant at the time of the installation of these engines. The cost of operating our light plant, which pumps our water, is about one-third the cost of the old steam plant. The writer has bought from these people six engines and every statement made by them they have lived up to. I sincerely believe if you will install this type of engine, it will pull you out of the hole.

type of engine, it will pull you out of the hole.

"For your information, with the equipment we are now operating, we are clearing from \$1200 to \$1500 per month. If there is any other information which you desire, we will be glad to furnish it."

From Deficit to Profit

Mr. K. W. Davis, City Clerk of Oakley, Kansas, in comparing the figures for their municipal water and light plant for the years 1921 and 1922, show that in 1921 "we operated with steam with a deficit of \$8,599.96, and in 1922 with one 200 hp. Fairbanks-Morse"Y" Engine made a profit of \$3925.25, or a gain in one year of \$12,525.21. The operating expenses speak for themselves and the earnings put back in the business astonished us."

FAIRBANKS-MORSE

When writing advertisers please mention American Municipalities



The Mayor of New Braunfels, Texas, gives another angle to this matter of lower rates in this letter: "We feel that we owe you, as well as the general public, a word of appreciation with reference to the services tendered the City of New Braunfels

by your company.
"We may also mention here that the new 100 hp. Type "Y" Engine which we bought from you in August of last year has given us splendid service with very economical upkeep."

Savings Paid for Additional Water Mains

"Our Water Works Department has been operating more or less under a burden during the past years as we have been buying electric power for the pumping of water as well as for the lighting of our streets, which made the extension of water mains impossible. However, since the installation of the engine referred to, we have saved from \$500.00 to \$600.00 per month. This has enabled us to lay 800 feet of 8-inch and 1200 feet of 6-inch mains, with necessary fire hydrants, all of which is being paid for out of savings of power cost."

"Y" Engines Taking Us Out of Debt

Brady, another Texas town, writes in part: "We are running two 100 hp. Fairbanks-Morse "Y" Engines direct connected to a 90 KVA Generator and are making them pay our plant out of debt. We have 750 water, 350 light and 50 power subscribers. At present our town has a population of 2800. All our pumping equipment is driven with Fairbanks-Morse Electric Motors and we pumped 5,630,000 gallons of water in December."

At Mifflinburg, Pa., power at less than a cent a kilowatt-hour is furnished by a 150 hp. Fairbanks-Morse "Y" Oil Engine, averaging 7.5 Kilowatt-hours at the switchboard to a gallon of oil costing 5 1/2 to 7 cents per gallon. The satisfactory results led to the installation of a second engine of the same size and type.

How Are These Savings Obtained?

Fairbanks-Morse "Y" Engines are fundamentally low cost power units for any service. They operate on the cheapest grades of fuel oil, and are so designed as to require a minimum of attention. There are no valves to cause trouble, no electrical ignition, no carbureting devicesin fact, there are thousands of these engines in use today which have been, and will continue operating for months, day and night, without stopping for a moment's inspection.

Fairbanks-Morse engineers have had long years of experience in the laying out of hundreds of water and power stations for municipalities. They have given valuable assistance in pointing out ways to correct difficulties and save money. Their services are available at all times. F-M Branches, located in all parts of the country, insure prompt atten-

tion during installation and operation.

If you will outline your present equipment and requirements, we will be glad to make recommendations.

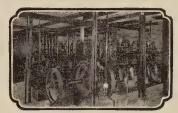
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Manufacturers **CHICAGO**

ENGINES



The Princess Anne Electric Light Co. of Princess Anne, Maryland, consists of one Fairbanks-Morse 25 hp. "Y" Engine belted to the 20 KVA Alternator as shown.



The McCook (Nebraska) Electric Company] Plant consists of one 300 hp. and three 200 hp. "Y" Engines.

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present conditions.

To hear some of the argument by public utilities and their legal and legislative friends, an innocent person would conclude that the poor little utility companies in the state are being abused and down trodden by a large number of powerful, unprincipled men making up the councils of the cities and towns of Iowa. At the same time, that some advocates are weeping for the trials of the public utility companies, other advocates are weeping copiously on account of the utter lack of intelligence and the fearful situation of the members of the council, in that they know nothing whatever about utility matters, and, in their ignorance, are satisfied to fight the powerful utility companies when it is a foregone conclusion that the results will be to the great detriment of the people they represent.

The electric companies in the state seem to be doing very well in spite of the great hardships they must overcome. There are several companies in the state that a few years ago supplied one or two cities or towns that now stretch out over large portions of the state and supply hundreds of municipalities with their services. If these companies were being abused, or if their business were not a paying business, it would not be possible for them to make these wonderful developments.

Most of the councils believe that they can look out for their own interests and most of the people are satisfied with the efforts of their representatives. It is certain that neither the people of the state nor their representatives are clamoring for state control.

So long as the utility companies can grow and expand as they have in the last ten years, and so long as the people are satisfied with local control, there is no good reason why we should adopt state control simply for the purpose of protecting the company that is poorly managed, and to give the railroad commissioners something to do to earn their salary.

Those utility companies in the state that are well managed, are able to get along with their customers with little or no trouble and these companies have never been very enthusiastic for state control. It is the companies in the state that still maintain the policy of the "public be damned" and of the managers who desire to continue this policy that are clamoring for a state

commission.

You show me a manager of a utility company that is clamoring for state control and I will show you a manager who believes that he is the representative of a power in which the people have no interest, and his greatest idea of corporate management is to be able to tell the public to go to that place where it is unnecessary to argue about the price of coal or to insert a coal provision in a lighting contract.

The company furnishing electric current at Des Moines did not raise the price of current during the war and have reduced the price of current at various times as their increased business has justified. This company settles all disputes with the customers with the idea of making every customer a friend. In all the years that the city of Des Moines has been fighting the water company, the gas company and the street railway company, the electric company has had no trouble whatever with the city or with its customers, and incidentally is enjoying the receipt of a very satisfactory rate. This company is not worrying about local or state control, but instead is now spending millions of dollars to build a larger and better plant, If all of our utility companies in the state would learn a lesson from this Des Moines company, they would have few troubles and their customers would have less.

COMPARISON OF RESULTS

A comparison of the results obtained under the state regulation and under the policy of local regulation, or as in the case of telephones, no regulation except the fear of competition, proves that our present policy is better both for the utilities and for the people, than is state regulation.

(To be continued in next issue)

A number of cities including Boston, Philadelphia and Wilmington paint fire hydrants yellow, because of its conspicuousness, says Fire and Water Engineering.

A recent Cleveland ordinance fixes an maximum electric light charge at five cents per kilowatt hour, and a minimum service charge of 75 cents for the first kilowatt.

Bring your problems to the League Convention at Mason City. We can solve them.

Information Bureau

Questions Answered Free for Officers of Members of League of Iowa Municipalities

R. C. M.—The ordinance committee have requested me to ask you to give us a copy of an ordinance to regulate parking of automobiles in a town of 500 population, that would be in keeping with the laws of other towns and in keeping with state laws now in existence and that would afford the town officials absolute protection in its enforcement.

The state law provides that the automobiles shall be parked parallel with the curb, but gives cities and towns authority to adopt other parking regulations different from this. Let me know just how you want to park and I will send you an ordinance.

C. H. H.—I would like information as to whether it conflicts with any law for the town council to hire the town clerk to do work for the town such as dragging or grading streets or any other work that might be needful to have done.

In my judgment a town clerk is not entitled to receive pay for any work done for the town, other than his salary as clerk.

J. K.—In reply to your request of July 9th, it is the sinking fund that is dead. If we can transfer it to the general fund, could we pay the electric light bills from the general fund?

There is no general provision in the state law for the transferring of dead funds, but the new budget law provides that such funds may be transferred with the approval of the budget commissioner. I suggest that you write to the state budget commissioner, Des Moines, asking him for the necessary blanks to make application for transferring of this fund, and there is no reasonable question but what he will authorize the transfer.

G. C. J.—I noticed in your July issue of American Municipalities regarding crossings from a street put to grade into lots, your saying that the town does not have to pay for tile or pipe for same. How about crossings on farm land? We have four farms inside our corporation. Would the town have to furnish them crossings into their fields?

In my judgment if the street is brought to the grade along farm lands, in the town limits, the owner of the farm land must provide all culverts and means of access to his land the same as if the land were platted.

P. J. S.—Will you please advise as soon as possible in regard to levying of taxes for water works and street lights, can we tax any of the adjoining land for either of the above or where should the boundary line be drawn?

Has the law changed any lately in regards to the number of mills that can be levyed for the

different funds?

The state law provides that the tax for waterworks and electric light shall be limited to the district of benefit and that the council shall each year fix these benefits. Usually the council fixes all the platted area of the town as the district of benefit including all lands in the town limits, except tracts of over ten acres, which under the state law are exempt from these taxes.

The law has not been changed in regard to the different funds that can be levied.

W. E. B.—We have sewer system put in by the Construction Co. They are to look after any defects in the system for a stated time. We know there are places where it leaks and have told them so but they have not fixed same as yet.

What would you advise in regard to this, get some engineer to go over the system and tell us just where all the trouble is and the extent and could this expense be charged to the Company.

We know places where it leaks in some of the manholes and one man was here and looked at them and said there was too much pressure at the time.

By all means I advise that you secure an engineer for checking up on your sewer system at once, and then if it is necessary to start suit under your bond against Construction Company, and the bond company to see that they correct any fault in your sewer system. Your first step should be to secure an engineer to check up the work and secure a report from him and if you find the work faulty, then you should at once secure the services of a good attorney in your county and have him take the necessary steps to protect your interest. It never pays to put off cases of this kind, and I advise that you get busy at once.

J. A. S.—Under the present ordinance can we prevent the operator of any vehicle from crossing from one side of the street to the other if he turns to the left so as to head in the direction in which vehicles are moving, or can we compel them to drive to the intersection of the streets before turning? Section 3 states "and shall at all times travel on the right hand side of the center of the street," This is about the only section that might cover the matter.

In my judgment so long as you make your ordinance apply to all vehicles alike, including automobiles you can put a provision in your ordinance requiring all vehicles to go to the street intersection before turning. The state law provides that cities and towns may pass regulations in regard to automobiles that apply to all vehicles alike.

G. A. W.—At a special election held June 30th, the voters of this city voted favorably on a water-works proposition, the proposition carrying with it a provision for the issuing of bonds to the amount of \$75,000.00 to build the contemplated improvement.

In your opinion, could the city do this work without advertising for bids, that is could the city hire a competent overseer and hire the labor done by the day, employing home labor.

I am of the opinion that the general provisions of the statute would indicate that the work would have to be advertised.

I know of no law that requires a city to let work in connection with their waterworks system by contract. The general provision of the law, is that in special assessments a contract must be let but where the town has the money on hand to pay for the work they can do it by day labor if they desire. In view of the fact that they voted bonds and have the money on hand to do this waterworks improvement, I feel quite sure that you could do it by day labor.

W. F. K.—The town council has given every one in town notice to clean up and they nearly all complied with it except one, now what we want to know is how to go at it to force them to clean up, we have a dump ground but the man that owns it does not allow anyone else to dump there only what he hauls himself, his charges are reasonable but this party wants to do his own hauling and says that the town must furnish dump ground.

A man has a right to haul his own garbage and on the contrary the town is not under obligation to furnish a dump ground. If a man who desires to haul his own garbage can find a dump ground, he has a perfect right to haul it and dispose of it. The town need not furnish him a place to dump this garbage. If he will not clean

up his property, there is no question but what you have a town ordinance making it a misdemeanor to keep property in a dirty condition and you could without question have him arrested under this ordinance.

G. R. J.—Has not the mayor of the town got the right to preside and enforce the fine on all violators of the law pertaining to the town or within the jurisdiction of the town.

If an information is filed for violation of the town ordinances and a man is arrested and fined under such information, the fine goes to the town. If the mayor, as ex-offico justice of the peace, has the information filed for violation of the state law, then the fine goes to the county. In cases for violation of the town ordinance, the cases should be entitled town of_____vs John Doe, instead of State of Iowa vs John Doe. an arrest is made in your town, where ever it is possible the information should be filed as against the person under the town ordinance, as the mayor then has entire jurisdiction and the defendant is not entitled to a jury trial. Also in cases where the case is brought in the name of the town, all fines go to the town as above stated.

R. L. W.—We have been considering resurfacing several blocks of our pavement which is very badly worn. The council have introduced the resolution of necessity, and will meet on the evening of July 18th, to listen to objections on the same.

Someone who was evidently misinformed, has circulated the report that the city should pay for this work of resurfacing as they have paid for it once (in 1913.)

One member of the council has stated that he will be afraid to vote in favor of the resurfacing as he is of the opinion that the property owner could go to law and force the city to shoulder the cost. He thinks the property owners should petition the council first.

There is no possible question but what the council has the right to reconstruct, repair or resurface a pavement and tax the cost up to the property. Up to a few years ago there was a question as to whether the city had the right to repair a pavement and tax the cost up to the property, but the supreme court in a Des Moines case held that they even had this power to repair and they have always had a right to re-construct.

There is one matter however that you should consider in proposing to let a contract at this time, and that is to see whether or not you can



The Spirit of Pioneering

Impatience with present facilities, a restless searching for perfect things—these have driven men to discovery and invention. They possessed the early voyagers who turned their backs on the security of home to test opportunity in an unknown land. They explain the march westward that resulted in this settled, united country. And they have inspired the activities of the Bell System since the invention of the telephone.

The history of the Bell System records impatience with anything less than the best known way of doing a job. It records a steady and continuous search to find an even better way. In every department of telephone activity improvement has been the goal—new methods of construction and operation, refinements in

equipment, discoveries in science that might aid in advancing the telephone art. Always the road has been kept open for an unhampered and economic development of the telephone.

Increased capacity for service has been the result. Instead of rudimentary telephones connecting two rooms in 1876, to-day finds 15,000,000 telephones serving a whole people. Instead of speech through a partition, there is speech across a continent. Instead of a few subscribers who regarded the telephone as an uncertain toy, a nation recognizes it as a vital force in the business of living.

Thus has the Bell System set its own high standards of service. By to-day's striving it is still seeking to make possible the greater service of to-morrow.

AMERICAN TELEPHONE AND TELEGRAPH COMPANY
AND ASSOCIATED COMPANIES

BELL SYSTEM

One Policy, One System, Universal Service

have the contract let by October first. The provision in the new budget law requiring a contract to be approved by the new budget commissioner, goes into effect October first, and you should be sure to have your contract let by that time.

So far as your re-surfacing is concerned, it is not necessary for the property owners to file a petition and the council has all the powers in resurfacing that they have in an original paving proposition.

J. M. C.—Would like to bother you for a little information. Our present mayor elected last April and is also justice of the peace. Can he hold both offices legally? If not is the business he has transacted legal? If he would resign as justice of the peace would this clear up the matter? Please give me some information as early as possible.

The supreme court a few years ago held that a man could not hold the office of mayor and justice at the same time. The attorney general has ruled that where a man holds one of these offices and then qualifies for the other that this automatically causes a vacancy in the first office. Under this ruling if your mayor was justice of the peace before he qualified for mayor he is now mayor and the office of justice of the peace is vacant. If he was mayor before he qualified as justice of the peace, he is now justice of the peace, and the office of mayor is vacant. The chances are however that if he desires to continue mayor and resign as justice of the peace there would be no objection even though he qualified as justice of the peace after he qualified as mayor. I would think that it would be better for him to be mayor, because the mayor has jurisdiction as justice of the peace and also as mayor.

J. W. J.—We have a town ordinance governing pool halls a license of \$100.00 per year. Question: Has the mayor the right to refuse to give a license to another one for the reason he don't think the town should have another.

It depends on your ordinance in regard to pool halls as to whether or not your mayor has any discretion in granting a license. If your ordinance provides that a license shall be issued on the payment of a license fee, then I think the mayor is required to issue the license, but if your ordinance gives the mayor discretion in passing on the qualifications of the people asking a license, he can of course exercise such discre-

tion. I suggest that you read the ordinance in regard to licenses and this will show you whether or not the mayor has any discretion in the matter. I do not know just the date the new code will go into effect but it will go in effect some time this fall.

J. L. B.—We have two parties living within the corporate limits of our town. One of them has in the neighborhood of 40 stands of bees, and the other has almost one hundred stands. They both live in the western part of town and a number of residents have been complaining and want the council to take steps to relieve them from what they term a "nuisance."

We have consulted our county attorney and he advises that there is no law prohibiting the keeping of bees, the only way the matter could be handled would be for the city council to pass an ordinance prohibiting the keeping of bees within the town limits.

The mayor and council seem to think that it might not be legal to have an ordinance prohibiting the keeping of any bees, but that it might be better to limit them to a certain number of stands. My opinion is that the ordinance should prohibit all of them, if an ordinance was passed. We would therefore like very much to have your opinion, and if you have any such ordinance on file, we would like to have a copy of same.

In regard to your question relating to bees, the attorney general gave an opinion a few years ago, that a bee is not an animal in the meaning of the law, allowing cities and towns to prohibit animals from running at Until the courts pass on this proposition we should be guided by the opinion of the attorney general, and under this opinion a city or town does not have the right to prohibit bees from being at large. After discussing the matter with the attorney general quite fully, we came to the conclusion that the cities and towns had no control over keeping of bees and that the only recourse the neighbors had where bees became a nuisance, would be to file an information against the party owning the bees, and then it would be a queston for the courts, and the court would decide whether the keeping of bees in the way that the persons kepting them would in fact constitute a nuisance. You will see from this that in my judgment, the council can do nothing so far as the bees are concerned. and that this is an issue between the people keeping the bees and those complaining against the same.



G-E Traffic Signals Distinctive—Effective Reliable

G-E traffic signals meet the needs of modern traffic regulation. The Novalux electric automatic flashing beacon (shown at left) gives a vivid streak of light, at regular intervals, that attracts the eye and flashes a real warning at all angles. It is an ideal signal for use in secondary street traffic in large cities and for general traffic in smaller communities.

The Novalux electric automatic signal tower is for heavier traffic. It may be set to operate at any predetermined interval (stopping traffic in one direction and starting it in the other) or it may be manually controlled.

Both of these types of signals are rendered dependable by a new mercury circuit-breaking mechanism which cannot fail through burned out contacts, Uninter-upted service is thus assured.

G-E street lighting specialists have full information on the newly developed line of G-E traffic signals. They can assist in the selection of the type most suited to each traffic condition.



Novalux Electric Automatic Signal Tower—stops and starts traffic at predetermined intervals or may be operated by hand.

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G-E Traffic signals are the result of a careful study of traffic requirements by G-E illuminating engineers working in conjunction with the police commissioners of leading cities. They have been successful in actual service under varying conditions.

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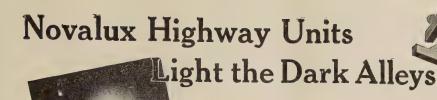
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March 25, 1924

General Electric Company San Francisco, California

Attention: Mr. Winkley

Dear Sir:

Your request for information relating to the use of G. E. all Metal type Highway Lighting Units, for alley lighting, was "recently received."

The City of Fresno has twenty-five Units installed and we are getting a very satisfactory result. We expect to install fifty more within the next year.

The Units are mounted on the poles which are installed by the Power Company for their regular distribution system. The alleys are 400 feet long and the Unit is placed on the center pole. Units are mounted at an elevation of from 22 to 25 feet above the street, and are equipped with either a 200 or 300 watt Lamp

The Novalux Fixture was selected after considerable investigation and trial of different Units giving an asymmetrical type of distribution, as we found that the Novalux Unit was best for giving a long narrow beam of light, and exactly suited our purpose.

Many have seen our installation, including business men and City Electricians from other Cities, and all have agreed that the results are very satisfactory.

Alley Lighting in Fresno is the result of an urgent request from the Police Department and it was necessary to pioneer the field as no data of other installations of a satisfactory type were available.

Your market for these Units should be unlimited as it is a good job in an entirely new field.

CITY ELECTRICIAL

To provide efficient equipment and to aid in the application of light to the various needs of both country and city dwellers, General Electric specialists are at the disposal of public officials and central stations anywhere.



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Badger Meters have long been highly reputed for actual *field* duty. Chiefly because they are built right. They are designed by practical water works engineers. All parts are readily accessible and made of such metals and materials that will not corrode nor wear unduly. They are made for long life and accurate service. Exactly why they are trustworthy.

Let Badger Meters prove their dependability, accuracy and earning powers. You'll find a Badger that will fit in nicely with your requirements.

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How Does Your Pavement Ride?

Vibrolithic-

Constructed in 1923

Illinois Batavia Chicago

Chicago
(Sheridan Road)
Danville
East Saint Louis
Freeport
Geneva

Granite City Havana Naperville Paris

Indiana
Connersville
Elkhart County
(County Highway)

Iowa Atlantic Bettendorf

> Boone Chariton Davenport Des Moines Dubuque Elkader Fairfield Grand Junction Holstein

Hull
Le Mars
Marshalltown
Mason City
Muscatine
Red Oak
Sloan
Valley Junction
Wapello

Michigan Birmingham Dearborn Detroit

River Rouge Royal Oak Minnesota Fergus Fall

Hibbing (State H'way)
Moorehead
Red Wing

Nebraska Madison

North Dakota Hillsboro (Streets and State Highway)

Oklahoma
Chickasha
Dewey
Muskogee
Oklahoma County
(State Highway)
Pawhuska

South Dakota Aberdeen

Tulsa

Madison Platte Sioux Falls (State H'wy) Watertown Yankton

Wisconsin
Edgerton
Evansville
Green Bay
(State Highway)
Medford
Milwaukee
Neenah
North Fon du Lac
Prairie du Chien

Prairie du Chien Shiocton (State H'way) South Milwaukee Stoughton Two Rivers Watertown Wausau West Alils

Pronounced "VT-bro'-lith-ic"

Booklet V-1 describes Vibrolithic more fully. We will be glad to send it on request.

Tax-payers today judge pavement almost solely by the riding qualities and appearance of the surface. If it is free from waves, bumps and cracks, they are pleased.

The Vibrolithic method of constructing concrete pavements produces a smooth, neat riding surface which is also skid-proof. Hard stone vibrated into the wearing surface prevents the development of waves and bumps, and provides maximum resistance to wear. The dense concrete resulting from vibration practically eliminates cracking.

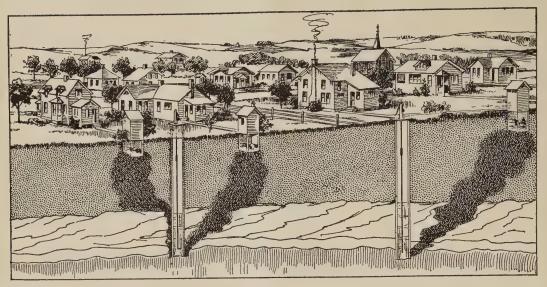
BUT, in addition to having a good riding surface, *Vibrolithic* pavements are durable and structurally sound. They possess maximum density which assures adequate beam strength * * * * * These *Vibrolithic* qualities insure:

- (1) High load carrying capacity.
- (2) High resistance to heaving and frost action.
- (3) High resistance to absorption of moisture.
- (4) High resistance to damaging effects of expansion and contraction under changes of temperature.

GRANITE TOP SURFACING COMPANY

941 Insurance Exchange Building DES MOINES. IOWA

Is This a Picture of Your Town?



Privy Vaults and Cesspools Leaking Into Your Wells.

COUNCILMEN:

Are you going to sit by, and let this condition exist in your town? It can be corrected by the COUNCIL showing the property owner, for how small a cost he can have a Sanitary Sewer System for his home and thus protect the life of his family.

Three-fourths of all town wells examined last year by our State Board of Health show this condition, endangering the health and physical condition of the citizens of our smaller towns. Proven conclusively by the examination statistics of the recent draft boards. These conditions causing typhoid fever, dysentery, hookworm and tuberculosis, have been eliminated in our cities by building sewer systems, which may now be built at small cost.

We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the *State Board of Health* and must be built eventually by every town.

Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

V. D. COBB, Iowa Secretary INDIANOLA, IOWA

"OUR SERVICE IS WITHOUT CHARGE"



Testing 747,160 Gallons Per Day, Elgin, Texas

Every Third Iowa City

Over 2500 Population

Uses Well Water Supply

Hundreds of cities and towns in Iowa and in the rest of the United States have realized the possibilities of well water supply and have chosen the most efficient and dependable well system.

LAYNE Well Water System

- 1. Guaranteed Quantity of Water
- 2. Lowest Operating Costs

A Few Users of the Layne System

Savannah, Ga., Population 83,252 Hampton, Iowa, Population 2,992 Ames, Iowa, Population 6,274

Camden, N. J., Population 116,309 Bloomfield, Ia., Population 2,064 West Liberty, Ia., Population 1,834

LAYNE & BOWLER CO. - - MEMPHIS, TENN.

ASSOCIATE COMPANIES:

Layne-Bowler Chicago Company, 37 West Van Buren Street, Chicago, Ill. Layne-Western Company, Mutual Building, Kansas City, Missouri

FIRE HOSE

Hawkeye Standard, Double Jacket

For Fire Departments of Cities. Guaranteed for three years against defects in material and workmanship. Reliable and economical

Hawkeye Standard, Single Jacket

For Fire Departments of small cities and towns. Guaranteed for three years against defects in material and workmanship. The best hose for volunteer fire departments.

Write for Samples and Prices

Municipal Supply Co.

FRANK G. PIERCE, Manager Marshalltown, Iowa

How About Your Ordinances

Many cities and towns, especially towns, have not had their ordinances revised for a number of years.

In the meantime many changes have been made in the laws, so that many ordinances are now in conflict with the provisions of the State law.

Would it not be better for you to spend a reasonable sum and know that your ordinances are legal in every particular and up to date in every way.

Write me for terms for preparing you an entire new set of ordinances and know you are safe.

FRANK G. PIERCE Marshalltown, Iowa

Classified Advertisements

Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

FOR SALE—Owing to the ever increasing traffic the city of Davenport has recently installed automatic traffic regulators and by so doing has abandoned the

use of our mushroom traffic lights.

We now have on hand seven (7) complete units as manufactured by the Essco Manufacturing Company of Peoria, Illinois. These signals cost the city of Davenport ninety dollars (\$90.00) each and have worked very successfully for three years. This city will dispose of these signals for forty dollars (\$40.00) each.

If your city is interested, kindly write or call F. W. Friedholdt, Purchasing Agent, Davenport, Iowa.

FOR SALE—Rumley oil pull Tractor 16x30. Priced to sell. If interested write B. Tallman, city clerk, Creston, Iowa. 624

FOR SALE—A 50 ft. steel tower in good shape. capable of sustaining 50,000 gal. of water. Town of Schaller, Mamie E. Currie, Clerk.

FOR SALE—Power Pump 150 gal. per minute Mfg. by Union Steam Pump Co. Battle Creek, Mich. If interested write G. E. Scoles, Town Clerk, Nashua, Iowa. 624

FOR SALE—Second hand air pressure water tank, 8' Diameter x 36' Long. Capacity about 9,500 gals. This iron tank is in good condition and will stand inspection. The town agrees to remove same from building for convenience of purchaser. Sealed bids will be received not later than July 1st, 1924. Write R. C. McKiernan, town clerk, Ainsworth, Iowa, Box 82.

WANTED—One used 30-40 ft extension ladder, one 10-12 ft roof ladder and one hand drawn 40 gal, chemical tank complete. Address T. C. Burson, Clerk, Thurman, Iowa.

WANTED—To buy a single head type electrically operated fire Siren. Address R. J. Camp, city clerk, Shambaugh, Iowa. 424

FOR SALE—1-50 horse Fairbanks Morse Engine, 1 belt size 12 in wide by 38 feet long. These are in good repair and will be sold cheap. Write L. V. Pulver Clerk, Town of Bayard.

FOR SALE—A horse drawn Road Oiler, 500 gal. capacity; in good condition. 1 second hand Fire Bell. Price on application. L. F. Albers, City Clerk, Fort Madison, Iowa.

FOR SALE—Second hand 7½ HP., 110-220 volts, 60 cycle 1 phase 1750 rev, AC Wagner Electric Motor with pulley 5x4½ x1½ and 220 volt starter; will sell for one half of cost, reason for selling it being too small for our work, if interested write C. T. Tollefson, Town Clerk, St. Ansgar, Iowa.

FOR SALE—City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 15½ in. deep, containing 60 removable document files 13½ in x 4 in x10¾ in. Cupboard: lock doors and drawers 30in wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

WANTED—Chemical tank, suitable for mounting on Ford Truck. Please state size, price, and condition in first letter. B. R. Grawburg, Clerk, Pierson, lowa.

WANTED-To buy, double acting well pump. Address F. C. Reese, City Mgr., Villisca, Iowa. 74

WANTED-Second-hand fire bell. Address A. L. Halstead, Town Clerk, Rock Valley, Iowa. 74

WANTED—One second hand one-man steel cell. State price and address. W. M. Taylor, clerk, Ireton, Iowa. 724

FOR SALE—1 75H. P. Meitz Weiss Oil engine. 150 H. P. Meitz Weis Oil engine; 150 H. P. Meitz Weiz Oil engine; 137½ K. V. A. Generator; 150 K. V. A. Generator; 1 switchboard; 1 ten thousand gallon undergraund supply tank; 1 six thousand gallon pressure tank used as a supply tank. The above are the principal items of a fully equipped electric lighting plant now offered for sale. Will sell any rart or all of the above. Write, L. N. Roose, Clerk, Charter Oak, Iowa.

FOR SALE—1 Tugersall Round Air Compressor, complete, with 35 H. P. Motor and Belt automatic oil pump. 12x7½x10 type 10-2. In good running order. City Clerk, Tipton, lowa. 424

POSITION WANTED—Man with technical education and fifteen years practical experience, erecting, operating and managing city light and water plants also surveying for sidewalks, sewers and water mains will be open for position about April 15th. References. Frank Pierce, Marshalltown, Iowa.

WANTED—Single unit chemical fire engine in good condition. Please state price and condition E. H. Edwall, Clerk, Rembrandt, Iowa. 424

STEEPLE-JACK — Painting and Cleaning of Watertowers, Standpipes, Smokestacks and Steeples. Prices right. R. W. Cox, Box 673, Mason .City, Iowa.

WANTED—A good used 25 to 50 HP fuel engine, O. F. Mangold, Councilman, Brighton, lowa. 224

WANTED—A second hand Electric Siren. State price in first letter, W. S. Shaffer, Town Clerk, Colesburg, Iowa.

WANTED—A fire alarm or an Electric Siren. Ben Haselhuln, Town Clerk, Melcher, Iowa. 224

FOR SALE—One 8x10 belt driven plunger pump, in good condition, also one 8x10 geared plunger pump, in good condition and, one Goulds centrifical pump. Address inquiry to A. J. Bryant, City Clerk, Sigourney, lowa.

FOR SALE—Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, lowa.

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, Iowa.

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The latest "Corey" Type

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Also

Gate Valves

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Warrenite Bitulithic Superior Pavement

BECAUSE

it is composed of the highest quality of materials so combined as to give maximum stability and wear in a resilient waterproof surface.

Warren Brothers Company through its extensive laboratory and field inspection and research organization has spent more than twenty years in perfecting the selection of the proper materials and the most efficient methods of using them.

Every square yard of pavement constructed is laid under the supervision and with the advice and collaboration of Warren Brothers Company, whose interest in securing the best results is greater than that of any contractor, official or property owner.

More than 97,000,000 square yards have been laid in over 650 cities and municipalities throughout the world, many cities using no other type of pavement, and a large majority awarding repeat contracts for Warrenite Bitulithic year after year.

Send for literature and specifications.

Warren Brothers Company

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CHICAGO, ILL.



Well Water Dependability

N midsummer, when the peak load comes on your plant, for lawn sprinkling, gardens and streets, or for manufacturing, you will want the maximum output from your wells, week in and week out.

Curtailment of flow, or equipment breakdowns then will mean serious trouble, injury to health and property, curtailment of output.

Safeguard your town or plant against water shortage then, by installing a

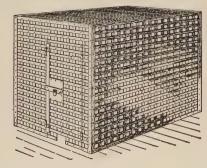
Sullivan Air Lift System

New Bulletin 71-HI will give you the reasons

Sullivan Machinery Co.

433 Gas Bldg., Chicago 2815 Grand Ave., Des Moines

STEEL CELLS



Many small towns do not have a jail, but often need such a place.

A single steel cell, placed in your town hall, fire station or other place will be all you need.

A steel cell like the above will accomodate two prisoners. It will answer all your needs

Write for catalogue and prices. Also Complete Jail Equipment

Municipal Supply Co.

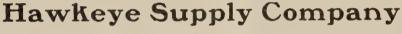
Marshalltown, Iowa

SAFETY FIRST

Corey Fire Hydrants are Quicker
Corey Fire Hysrants are Safer

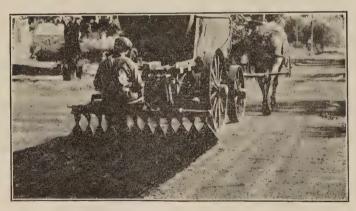
The drip valve in the Corey Fire Hydrant prevents freezing. No accident or damage to property can occur with this hydrant by flooding the streets where runaway teams or other accidents break off or otherwise injure the hydrant standpipe.

It will be seen that the hydrant gate is held in position when shut, by the four arms forming braces between the back of the hydrant and the seat. Consequently the hydrant barrel can be broken completely off above the ground but the valve remains tight.



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Furnished or Applied

Make Your Streets Dustless and Mudless

We furnish all equipment and experienced men to apply our Special Road Oil on streets.

The above photograph shows the surface being evenly covered with hot material under pressure. A man is seated on the rear to best operate the distributors.

Over 125 cities and towns now use our Special Road Oils exclusively. The entire cost is usually only 4c. to 6c. per square yard. Have our representative call with no obligations to you.

IOWA ROAD BUILDING COMPANY

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For your Convenience in Getting Quick Delivery, Stocks are Carried at Chicago, and Kansas City

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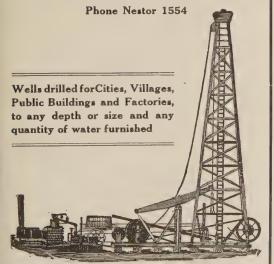
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"Two million six hundred thousand Trident Meters made and sold"
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They may cost you a trifle more than others But in the judgment of the majority of Purchasers, As evidenced by their unprecedented sale, They are worth the difference and "then some"



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Tropic



The ARCTIC—a frost-bottom Water Meter, especially designed for cold sections of the country.

These two meters embody exactly the same mechanical features, the only difference being the changes necessary to provide a frost-breaking feature in the Arctic.

Either of these meters will be equipped with a completely enclosed intermediate train running in oil, if desired.

Write or wire nearest office for full information

Please Note Change of Address

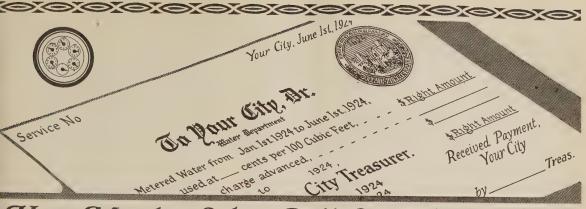
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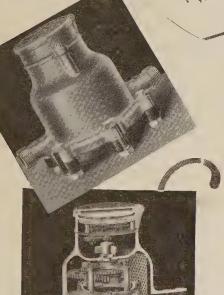
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Hersey Disc Water Meter H. F. adapted for use on \% ", 34" and 1" services where extreme accuracy, reliability and durability are required.

water department equipped with inaccurate meters is a great charity organization.

If annual revenue amounts to \$200,000 or \$300,000, a falling off of registration. of 4% or 5% for any considerable number of meters soon amounts to a sizable sum.

The best way to protect your source of income, collect the full bill and thus bet able to maintain a high standard of service at a minimum rate, is to standardize on Hersey Water Meters that register accurately over long periods of time.

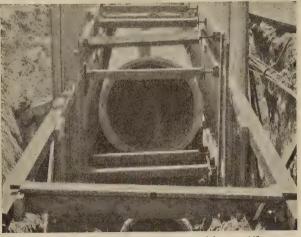
Municipalities and water companies who use Hersey Meters find that they excel all others as automatic revenue computers.



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Upper is Concrete Storm Sewer. Internal diameter 66"
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Concrete Meets Every Sewer Requirement

Concrete Pipe Sewers in America are 80 years young. The first one of record was laid in 1842 at Mohawk, N. Y.—more than eighty years ago.

Concrete Pipe Sewers have been in use in Hudson, N. Y., since 1867; in Nashua, N. H., since 1868; in Kokomo, Ind., since 1873; in North Adams, Mass., since 1874; in Butte, Mont., since 1889.

Recent inspection of these sewers has shown that they are still in perfect condition.

Concrete Pipe Sewers sustain the earth pressure in deep trenches. Even when they are near the surface, they meet all requirements for supporting the weight of traffic.

Due to the impermeability of well-made Concrete Pipe, leakage and infiltration are eliminated. Concrete Pipe are true to shape and form. As a result their smooth interior surface provides maximum flow capacity.

These are a few of the reasons why so many municipal engineers are giving preference to Concrete Pipe Sewers.

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Concrete Sewer Pipe is manufactured in standard sizes from 4 to 108 inches, internal diameter. The smaller sizes are unreinforced and meet specification requirements of the American Society for Testing Materials. Larger sizes are reinforced. Our booklet C-3 tells many interesting things about Concrete Pipe Sewers. Address nearest office for your copy today.

PORTLAND CEMENT ASSOCIATION

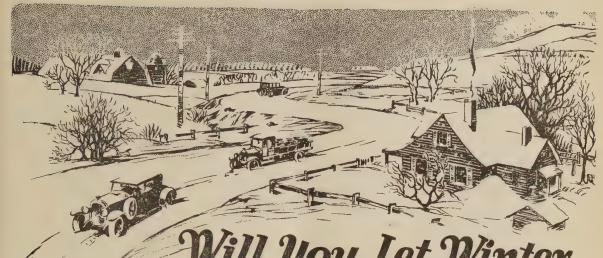
Hubbell Building DES MOINES, IA.

A National Organization to Improve and Extend the Uses of Concrete

Offices in 29 Cities

Our Booklets are sent free only in the United States, Canada and Cuba.





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American Municipalities

September, 1924

Vol. 47, No. 6

Entered as second class matter December 1, 1911, at the Postoffice, Marshalltown, Iowa, under the Act of March 3, 1879

Published by Municipal Publishing Company Marshalltown, Iowa

Frank G. Pierce, Editor

Subscription Price, - - \$1.00 per year Advertising rates made known on application

"For forms of governmen let fools contest,
What'er is best administered is best."
Pope's Essay on Man.

Resolutions Adopted by League of Iowa Municipalities

Whereas, Through legislative enactment there has been a growing tendency in this state to create and maintain numerous state boards and commissions. Politics strengthen them. Appropriations fatten them. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the state a service comensurate with the cost of maintaining these officers, their staffs and equipment. Therefore,

Be it Resolved, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

Be it Resolved, That the League of lowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of lowa, and that this Organization hereby expresses its unalterable opposition to the establishment of any commission authorized to control or regulate any local utility.

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COMMENT

The convention of the League at Mason City was one of the most successful ever held.

Mayor McGhee and the officials and the people of Mason City all worked hard to make the visit of the delegates most pleasant.

The committees appointed during the convention looked after the work given them and presented valuable reports to the convention.

Every official should read the minutes of the convention published in this issue and especially the resolutions adopted by the League.

The committees appointed by President Gnagy are published in this issue and you will be interested in these committees.

You should read the paper on Judicial Decisions and they will give you an excellent idea of the development of municipal law during the past year.

The President's address and Secretary's report presents an account of the work of the League during the past year.

Most of the members have already sent in their dues for the present year and if you have not you should do so at once.

The officers will soon be busy with the legislature and the collection of dues should be out of the way by that time.

If the council has not allowed the bill for dues try and have it allowed at the first meeting.

If there are any changes in the state law relating to municipalities that you believe should be made take the matter up with the chairman of the legislative committee at once.

You will miss a valuable part of the magazine if you do not carefully read the advertising pages.

You will not make a mistake if you deal with the firms represented in our advertising pages.

Standing Committees of League

President Gnagy Announces Committees for Coming Year

LEGISLATION

Solicitor W. A. Hunt, Ottumwa Manager O. E. Carr, Dubuque Solicitor B. P. Poor, Burlington Mayor J. H. McGhee, Mason City Solicitor H. A. Willoughby, Grundy Center Mayor Stewart Gilman, Sioux City Mayor J. C. Harding, Council Bluffs Mayor J. H. Peters, Perry Mayor C. M. Garver, Des Moines Solicitor Henry Theunan, Davenport

FRANCHISES

Manager F. C. Reece, Villisca

Mayor H. F. Johnson, Pella

Clerk A. O. Peterson, Estherville

PAVING
Mayor T. J. Smith, Burlington
Clerk J. D. Cowan, Waukon
Mayor D. D. Ross, Garner

LIGHT AND POWER
Solicitor G. A. Rice. Mapleton
Mayor J. B. Miller, Muscatine
Mayor H. B. Speaker, Correctionville

sewage and sanitation Mayor W. G. Ray, Grinnell Manager A. E. Johnson, Red Oak Mayor H. W. Walleser, Charles City

WATERWORKS AND SUPPLY Mayor A. T. O'Brien, Independence Mayor Wallace Winslow, LeMars Mayor J. A. Newcomm, Coon Rapids

TAXATION AND ASSESSMENT Councilman M. O. Roland, Iowa City Councilman R. W. Peterson, Bettendorf Mayor Peter Rix, Manning

JUDICIAL DECISIONS
Solicitor Wm. Stipe, Clarinda
Solicitor J. C. Robinson, Mason City
Solicitor J. D. Carstenson, Clinton

PARKS AND PLAYGROUNDS Mayor Fred E. Trainer, Ackley Mayor J. H. Elder Albia Mayor W. J. Hanks, Postville

MUNICIPAL ACCOTNTING Clerk L. F. Albers, Ft. Madison Clerk A. S. Wright, Osage Clerk S. J Parker, Hampton

STANDARD SPECIFICATIONS
Manager P. F. Hopkins, Ames
Councilman G. A. Jones, Eagle Grove
Mayor Ernest Carlson, Madrid

DEPARTMENT CHAIRMEN

CITIES UNDER GENERAL LAW
Councilman Hugo Gebert, Denison
CITIES UNDER COMMISSION PLAN
Councilman W. H. Hayes, Mason City

TOWNS
Mayor J. G. Heacock, Brighton

ACCOUNTING OFFICERS
Clerk Chas. C. MacKay, Waterloo

Solicitor G. A. Minnich, Carroll

MASSEY CONCRETE PRODUCTS PLANT PURCHASED BY CUTTER WORKS

The purchase of the Milwaukee Plant of the Massey Concrete Products Corporation and the concrete post business by the George Cutter Company of Indiana has just been announced by the Westinghouse Electric & Manufacturing Company. The Massey Corporation has been engaged in the concrete post industry, manufacturing the well known line of Hollowspun reinforced concrete street-lighting standards and concrete poles for street railway service at the Milwaukee Plant and the George Cutter Company will now undertake the manufacturing of these products.

For a number of years, the Westinghouse Company through connections and relations with the George Cutter Company, has been engaged in the manufacture of cast iron poles for industrial, ornamental and street-lighting purposes at the George Cutter works at South Bend, Indiana. The addition of the Hollowspun line to the line formerly manufactured assures the Westinghouse Company a place amoung the foremost manufacturers in ornamental street-lighting equipment.

Hollowspun lighting standards which are made by the centrifugal process method demonstrate the possibilities of efficiently moulding concrete. The tremendous force with which the concrete is tamped in the mould and around the reinforcement absolutely insures a uniform strength and surface texture throughout the length of the product.

The transfer of the Massey Plant became effective July 1, and the Westinghouse Company will handle the Hollowspun business through the George Cutter Works.

Minutes Annual Convention

Twenty=Seventh Meeting of the League of Iowa Municipalities

The twenty-seventh annual convention of League of Iowa Municipalities was called to order by the Vice-President, Hon. A. E. Gnagy, mayor of Waterloo, on Tuesday, August nineteenth at one o'clock P. M. in the banquet room of the Chamber of Commerce at Mason City, Iowa.

Hon. J. H. McGee, mayor of Mason City, on behalf of the city officials and Hon. B. F. Clough on behalf of the Chamber of Commerce extended a hearty welcome to the members of the League.

Acting President A. E. Gnagy, responded to the welcome and followed with his annual address.

Frank G. Pierce, of Marshalltown, presented his report as Secretary-Treasurer, which report was referred to the auditing committe.

Hon. W. A. Hunt, city solicitor of Ottumwa, and chairman of the committee on legislation presented the report of the work of the committee during the special session of the legislature.

Hon C. V. Findlay, mayor of Ft. Dodge, presented a paper on the subject "Should City Work be Done by City Labor."

Hon. G. A. Minnich, city solicitor on Carroll presented the report of the committee of Judicial Decisions.

The convention adjourned at four o'clock and the delegates were entertained by an automobile ride about the city visiting the sewage disposal works, municipal water works, incinerator and other points of interest.

Immediately after the automobile ride the delegates were tendered a banquet by the Chamber of Commerce, Hon. J. C. Robinson, city solicitor of Mason City acting as toast master.

The delegates were entertained by a number of musical selections and by a very fine address by Hon. A. L. Rule, former Senator from Cerro Gordo County.

Acting President Gragy appointed the following committees. Resolutions Committee:

Mayor C. V. Findlay, Ft. Dodge Mayor Stewart Gilman, Sioux City Councilman M. O. Holand, Iowa City Solicitor H. A. Willoughby, Grundy Center

Mayor J. A. Walter, McGregor Auditing Committee:

City Clerk J. H. McEwen, Mason City City Clerk L. F. Albers, Ft. Madison City Clerk A. C. Kuyper, Pella

Question Box Committee:

City Solicitor J. C. Robinson, Mason City and all attorneys attending the convention.

The following amendment to the constitution was proposed by the city of Council Bluffs to be considered on the last day of the convention.

"Amend Article III of the constitution of the League of Iowa Municipalities by adding thereto the following section.

Section 4. Any board of waterworks trustees, board of park commissioners, board of library trustees or river front improvement commission of any city or town in Iowa may become an associate member of this League upon the payment of the same annual dues as the municipality they represent."

The morning of Wednesday, August 20th was devoted to department meetings which were held as follows:

Cities under the General Law, committee room of the Chamber of Commerce, Hon. Hugo Gebert councilman of Denison, chairman.

Cities under commission government, Board of Directors room, Chamber of Commerce, Hon. Thomas J. Smith, mayor of Burlington, chairman.

Towns, Banquet Room of the Chamber of Commerce, Hon. J. A. Walter, mayor of Mc-Gregor, chairman.

Accounting Officers, in the office of City Clerk J. H. McEwen, Hon. Chas. C. MacKay,

City Clerk of Waterloo, chairman.

Solicitors, office of City Solicitor J. C. Robinson, Hon. W. A. Hunt, City Solicitor of Ottumwa, chairman.

The afternoon session was called to order by acting president Gnagy at one o'clock P. M.

Honorable W. Z. Long, Mayor of Spencer presented a report of the committee on Light and Power.

Hon. Fred E. Trainor, mayor of Ackley presented a paper on the subject "Tourist Camps."

Harvey Walker, the assistant Secretary of the League of Kansas Municipalities reported on the progress that has been made in that state in regard to adopting standards of service and charges for tourist camps.

Mrs A. E. Boggs of Waterloo, presented a paper on the subject "Playgrounds."

Hon. J. G. Harding, mayor of Council Bluffs gave an address on the subject of "Law Enforcement."

The convention adjourned at four-thirty P. M. and boarding interurban cars, the delegates were taken to Clear Lake and treated to a boat ride around the lake, and the different resorts, which trip was thoroughly enjoyed by all.

The last session of the League was called to order at ten o'cleck A. M. on Thursday, August twenty-first.

The special order of business of electing officers and place of next meeting being called, the following officers were elected.

President, Mayor A. E. Gnagy, Waterloo. Vice-President, Mayor C. V. Findlay, Fort Dodge.

Secretary-Treasurer, Frank G. Pierce, Marshalltown.

Trustee, three year term, Mayor, J. A. Walter, McGregor.

Trustee two year term, Mayor W. Z. Long, Spencer.

The cities of Dubuque, Fort Madison, Burlington, Fort Dodge, Waterloo and Spirit Lake, extended invitations for the holding of the twenty-eighth annual convention, and after several ballots, Spirit Lake was selected.

Hon. P. F. Hopkins, City Manager of Ames, presented a paper on the subject "Standard Paving Specifications." K. C. Gaynor, Engineer of Sioux City, presented a paper on the subject "Electric Light and Power Plants."

The amendment to the constitution presented on the first day of the convention was taken up and unanimously adopted.

The chairman of the different department meetings reported in regard to the same.

The Resolutions Committee presented the following resolutions which were adopted by the convention.

RESOLUTIONS

Delegates to the League of lowa Municipalities in convention assembled, realizing that municipal-office-holding is a profound public trust, and desiring to become of greatest service to our several communities, hereby

RESOLVE, that this service can be quickened and emphasized by attendance upon and assistance in the programs of the annual conventions and to this end, we deeply appreciate the services of the secretary, Frank G. Pierce, throughout the year and especially during the extraordinary session of the 40th General Assembly, be it

RESOLVED, that we extend to him a vote of thanks for his unselfish services, and be it further

RESOLVED, that we commend the vigilance and untiring efforts of the committee on Legislation under the able direction of the chairman, W. A. Hunt, and be it

RESOLVED, that we recognize in this session just closing the guiding hand of Mayor J. H. McGhee ably aided by his commissioners, Messrs. Hayes and Patton in determining to a large degree the success of this twenty-seventh annual convention, and be it further

RESOLVED, that we are deeply appreciative of the efforts of the Chamber of Commerce and the citizens of Mason City for making our visit to this city both pleasant and profitable by arranging the sight-seeing trip; providing the sumptious banquet; and treating us to a boat ride on Clear Lake, and we are not unmindful of the material assistance of the Mason City Globe Gazette in giving pre-convention notices and later convention news, prepared by Reporter Patton.

BE IT RESOLVED BY THE LEAGUE OF IOWA MUNICIPALITIES THAT WE DECLARE OURSELVES IN FAVOR OF:

FIRST, that the public is discriminated against by the present laws regarding personal injury claims. We recommend to the legislature that the laws be so changed as to require persons claiming damages of a municipality for personal injuries, to file their claims for such damages with such municipality within ten days of date of such injury instead of within 90 days as now provided by statute.

We also recommend that the present law be so changed so that in all actions to which municipalities are parties that no challenge shall be allowed of a juror because of the fact that he is a tax payer.

SECOND, that we believe that in order to do our work more effectively, the dues should be raised and the number of delegates from the cities of the first class should be increased from two to four. We further recommend the following fee schedule:

Cities having a	population	of less	than
1000		\$10.00	
1M to 2M		20.00	
2M to 5M		30.00	
5M to 10M		40.00	
10M to 20M		50.00	
20M to 40M	• • • • • • • • • •	60.00	
60M to 80M		80.00	
80M to 100		90.00	
100M and over		100.00	

THIRD, that in view of the constantly increasing menace of careless and irresponsible automobile drivers, we suggest that the Iowa legislature should consider the advisability of enacting a law requiring every automobile owner to either file a sufficient guaranty bond or a receipt for a paid-up causalty insurance policy before being granted his automobile license.

FOURTH, that cities and towns be given the power to construct water mains and assess the cost to the property benefited.

FIFTH, that those cities that have availed themselves of the provisions of the law authorizing the consolidated levy are convinced of the advantages of such a law and now request that all authorized levies be included in the consolidated levy excepting levies for Fire and Police Pensions and the Bonded Debt.

SIXTH, that the law be modified so that cities of more than ten thousand population which now own their own waterworks be empowered to install and operate a municipal ice plant the same as cities of less than ten thousand that already have this power

C. V. FINDLAY
STEWART GILMAN
H. O. ROLAND
H. A. WILLOUGHBY
J. A. WALTER
RESOLUTIONS COMMITTEE.

The Auditing Committee presented their report as follows:

REPORT OF AUDITING COMMITTEE

Accounts of Secretary-Treasurer for the year ending July 31st, 1924.

To the League of Iowa Municipalities

Your committee appointed to audit the accounts of the Secretary-Treasurer of the League beg leave to submit their report as follows:

We also found on file a certification from the First National Bank at Marshalltown that the Secretary-Treasurer of the League had on deposit in said Bank at the close of business, July 31st, 1924, the sum of \$407.88 representing the balance as shown in the above statement.

Signed J. H. McEwen
L. J. Albers
A. C. Kuyper
Committee

George Gallarno

Mun. Dept. Auditor of State.

Hon. J. C. Robison, City Solicitor of Mason City made the report of the Question Box committee.

President A. E. Gnagy, the president for the coming year pledged the delegates his active service during the year and there being no further business the convention adjourned until the next annual convention.

President's Annual Address

Hon. A. E. Gnagy, Mayor, Waterloo

It is a pleasure for me and I deem it an honor to have the privilege of responding to the cordial welcome extended to this convention by Mayor McGee and Mr. Clough On behalf of the delegates to this convention and the officers of the League of Iowa Municipalities I want to thank you Mr. Mayor and Mr. Clough for this welcome and for the efforts that you and the people of Mason City have put forth in providing entertainment for us and to make this convention one to be remembered.

We are glad to come to Mason City. Knowing Mason City and the people as I do, I am speaking from experience when I say that Mason City has a reputation for doing things, that its citizens are hospitable, that its business men are wide awake and that it is a city of which the State of Iowa may well be proud. It is the home of some of the largest industries of the State and the fact that they have withstood the stress of the times during the past few years is evidence that they are substantial industries.

I know that we are going to profit by our visit to your city. I trust that we may do you some good while we are here.

As citizens of Iowa we are proud of your substantial growth, advancement and development and you may rest assured that we will be glad to accept your hospitality again at some time in the future.

Delegates to the Twenty-seventh Annual Convention of the League of Iowa Municipalities and visiting friends. It becomes my duty in the absence of the one who was elected President of the League last year at Ottumwa, to give the President's Annual address. I shall be brief but it is my desire to try to cover a few topics, some of which have been problems for some time and some of which are new, at least to some of us.

The officers of the League have put forth considerable effort to make this convention the best in the history of the League. A program has been arranged with the idea of having dis-

cussed subjects that are practical, up to date and of interest to all cities and towns. A special effort has been made to get cities and towns to send delegates to this convention. It is true that the addresses can be read in the League Magazine but the discussions, in which we want every one interested to feel free to take part, are missed and often more valuable points are brought out in the free-for-all discussions of various subjects than are brought out in the addresses given.

I believe this League is to be congratulated upon its success. We have around 600 cities and towns of the State as members and only eleven cities of 2,000 and over are non-members. An effort has been made to get these into the League. This is indeed a good showing and one that we may be proud of. I believe it compares favorably with any other State having a simliar league.

I recently had the pleasure of visiting the office of our Secretary, Mr. Frank G. Pierce, of Marshalltown, and I was amazed at the mass of information that he has accumulated on practically every subject of interest to municipalities. This information, such as ordinances, resolutions, court decisions and methods of procedure are filed in such a way that it is available at a moments notice, and it is at the disposal of all members of the League. This information which may be obtained free for the asking will often save attorney's fees or court costs, many times the amount paid for membership in the League and the fact that hundreds of cities and towns do avail themselves of the League's services and continue to pay their dues is evidence that they are getting more than their money's worth.

TAXATION

One of the most discussed subjects of present days is the one of taxation. Every one who owns property of any kind realizes that taxes have gotten to a point where they are burdensome and one of the most common sources of dissatisfaction and complaint is the tax question.

City officials being in closer touch with the public and more accessible than any other class of officials probably receive more criticism and more complaints on account of high taxes. While it is the duty of every public official to do everything within his power to keep the tax rate down yet the problem is indeed a difficult one because the public is demanding more service. They expect the streets to be kept in repair, they expect a good pure water supply, they expect the best sanitary conditions and in the winter time that the streets be kept clear of ice and snow. They demand that these things be done but when they realize that these things all cost money they complain about high taxes. It has been my experience that when a proposition for any kind of improvements such as school houses, bridges, play grounds, etc. are up to a vote of the people. that the proposition invariably carries, so that the people themselves have voted a large share of the taxes upon themselves.

In addition to it being the duty of every public official to keep the tax rate at the minimum, he is also elected to office to serve the public and I believe he should give the public what they demand and a municipality should be operated on a business basis the same as any other business and it is just as poor business for city officials to render the service that the public demands and not levy enough tax to pay for that service, as it is for a merchant to sell merchandise at less than cost. Many cities have found it necessary to issue funding bonds. Probably there are none but what have funding bonds outstanding and the necessity of issuing these bonds was caused by no other reason than that insufficient taxes were received to pay for the service that the public demanded, so that it is not economy to keep the tax levies down for the sole purpose of making a showing, because the maintenance of streets and sewers and all public work must be paid for in one way or another.

I believe, however, and it has been my experience that what the taxpayers object to is not so much high taxes as it is the inequality of taxes. The idea prevails and there is a reason for it, that the small property owner is taxed to the limit while the "big fellow, is let off easy. This is probably accounted for, in part at least, by the fact that there are just as many methods of assessing property as there are assessors. I be-

lieve one of the objects of this League during the coming session of the Legislature should be to make every officit to have a uniform method of assessing property adopted, to the end that all classes of property will be assessed according to its fair value. The average assessor may have the ability, under the present method, to assess a piece of property that can be seen, such as a home or a vacant lot, but when it comes to assessing a corporation whose property perhaps runs into millions of dollars, he simply hasen't any conception of how to handle it, with the result that the man with a \$5,000 home is assessed to the limit while the corporation is assed at any amount the assessor happens to guess.

SEWAGE DISPOSAL

By reason of a recent action of the State Board of Health, not a few Iowa cities are confronted with the immediate problem of sewage disposal. It will not be and easy problem for some of the municipalities to solve for the reason that sewers in some cities have for years been constructed as a combined system of storm and sanitary sewers and for the reason that some cities are divided by a stream of water, which means they have practically two separate sewer systems. This problem is a new one for a good many cities and towns, who, for years have been emptying sewage into streams, and personally I have not been able in the short space of time that has elapsed since the State Board of Health issued its order, to make the investigation necessary to know what should be done. Perhaps the law passed by the 40th General Assembly relative to this question is all right as it is. Perhaps it should be changed. At any rate I believe that cities should co-operate in so far as it may be practical with the State Board of Health to the end that the polution of streams should be stopped if it can be done without placing any undue burden of taxation and if it is found that the emptying of sanitary sewage into the streams is doing any serious damage and if sufficient time is given to work out this problem in such a way that the results obtained will be permanent.

DUST PREVENTATIVE

Some of the smaller municipalities whose streets are not paved have always before them the problem of using some preparation on the streets that will prevent dust. So far road oil has been the most popular material to be used

for this purpose. This has many objectionable features and in some ways the cure is worse than the disease. Other preparations are now on the market that are recommended to produce the same results as road oil without the objectionable qualities that road oil always has and always will have. I believe that an investigation should be made as to the merits of these preparations, and if necessary a bill passed by the Leglature allowing municipalities to assess to privately owned property, the cost of using a preparation other than oil.

SUMMARY

Such questions as Tourist Camp Grounds, Play Grounds and other questions of equal importance will be handled by other speakers and I shall not attempt to discuss them, but before closing I do want to remind the members of this League that the Legislature will meet again this coming winter and there is every reason to believe that the usual number of laws will be passed, many of which will affect Iowa muni-I believe the Legislature really wants cipalities. to pass laws that will affect municipalities in the right way. My experience as a member of the Legislative Committee and an officer of this League, is that the members of the Legislature are anxious and willing to know what kind of laws the cities and towns want, but in order to do this it is necessary to have some one in touch with the situation in Des Moines in order that they may know, as many of them are absolutely unfamiliar with the workings of municipal government. I believe the law relative to Municipal League dues should be amended to provide for an increase in dues, so that the League will have the funds necessary to defray the expense of this work. The League has been responsible for the passage of many laws that are of advantage to municipalities and for preventing the passage of laws that would work to their disadvantage. Many of you are just as familiar with this as I am and will realize the importance of it.

The League has always been opposed to the contralization of authority in boards, commissions, etc. These powers centralized at the State Capitol have not in any sense given the cities and towns and the people of the State a service commensurate with the cost of maintaining these boards, their staff and equipment, but has always favored more powers delegated to the cities and towns in the form of local selfgovernment. This policy should be continued because much of the legislation already enacted cannot apply to every community. Every municipality has certain problems of its own. Problems of its own. Problems that apply to no other municipality.

There is much that might be said but I told you that I would be brief. I believe that there are very important questions to be discussed during this convention and I know they will be handled by men and women who are qualified to discuss them.

I want to thank the members of the League of Iowa Municipalities for the assistance and support given the officers during the last year. I hope that you will give it as liberally in the future as you have in the past.

MUNICIPAL BOND ISSUES SMALLER IN JULY

After reaching a record-breaking total for the six months ended June 30th, the volume of State and municipal bond flotations fell off snarply in July, says The Daily Bond Buyer of New York. Few large cities entered the bond market and there was a marked scarcity of issues of State obligations. A \$15,000,000 Pennsylvania State Road bond offering, scheduled for sale the latter part of the month, was withdrawn because of a court decision holding the issue to be invalid.

Municipal bond prices have been advancing for several months and the trend of values throughout July was consistently upward. The relative scarcity of new bonds is a factor of importance in this connection. The following tabulation, compiled by The Daily Bond Buyer of New York, gives the output of State and municipal bonds in July and the seven months' period ending July 31st for ten years:

		Seven mos.
	July	end July 31
1924\$	99,465,636	\$922,465,038
1923	67,547,887	683,646,506
1922	120,008,165	854,165,441
1921	108,925,459	617,017,761
1920	79,914,826	429,896,817
1919	75.649,360	384.537.802
1918	20,905,646	155,088,730
1917	88,946,592	304,098,265
1916	40,931,309	326,429,929
1915	27,160,893	344,316,949

Report of Secretary-Treasurer

Frank G. Pierce, Marshalltown, Iowa

Twenty-three years ago the League of Iowa Municipalities held its third annual convention in this, "The Fastest Growing City in Iowa."

At that time the League had few members and had little or no influence in the affairs of the state, but during the years that have passed, the League has grown until now it contains in its membership, sixty per cent of all the cities and towns in the state, and has a great influence in so far as the welfare of the municipalities of Iowa is concerned. While our efforts have met with success in the past, we should not be satisfied with the work that has been done, but should endeavor to place the League in an even more important position and not be satisfied until every city and town in the state belongs to the organization and co-operates in our work for the general welfare.

MEMBERSHIP

On August first, the end of our fiscal year, the League had 584 members in good standing, with all dues paid to that date. Our membership is made up of municipalities as follows:

is made up of municipalities as follows.	
Less than one thousand population 4	05
From one thousand to two thousand popul	la-
tion	92
From two thousand to three thousand	
population	29
From three thousand to five thousand	
population	25
From five thousand to ten thousand	
population	16
From ten thousand to twenty thousand	
population	7
From twenty thousand to forty thousand	
population	7
From forty thousand to sixty thousand	
population	1
From sixty thousand to one hundred	
thousand population	1
Over one hundred thousand population	1
It will be noted that about eighty per co	ent
If the property of the party of	

of our members are municipalities of less than

two thousand population, and that about seventy-

these towns. The service that the League renders to the small towns through the information bureau and the official publication, is a service that evidently appeals to the small municipalities and brings it about that these towns, even though comparatively few of them send delegates to the annual meeting, promptly pay their dues year after year.

five per cent of our income is received from

The towns constitute the solid basis on which the League is built and we should constantly endeavor to increase and improve the service we render these small municipalities.

FINANCIAL STATEMENT

During the past year the League received in dues \$7,103.00 which added to cash on hand at the begining of the year of \$520.06, made the total receipts for the year \$7,623.06.

During the year the League expended for all purposes \$7,152.18 leaving a balance on hand August 1, 1924 of \$470.88. We transferred from our general revenue \$303.56 to the legislative expense fund, so that if it had not been for the special session of the legislature and the legislative expense attached theteto, our cash on hand would have been approximately \$700.00.

The expense of \$7,152.18 was divided as follows:

Official Publication	\$3,109.80
Secretary's Salary	2,400.00
Clerk's Salary	600.00
Legislative	378.16
Printing	177.50
Convention	247.81
Postage	217.15
Incidentals	21.75
	\$7.152.18

I file with this report, my ledger, receipt stubs and vouchers for reference to the auditing committee. It would not be advisable to read the financial statement in detail at this time, as it is made up of approximately seven hundred items, but an itemized statement of receipts and disbursements will be published in the official publication in connection with this report of your secretary. [NOTE Financial statement will be published next issue.]

SPECIAL SESSION

It was supposed, at the beginning of the special session, that the legislature would adopt the policy of codifying the law as it existed and not undertake to make any radical changes in the law. With this understanding the officers of the League did not at first think it necessary to raise a legislative fund, but soon after the legislature started to work it became evident that the members intended to make many radical changes in the law, especially in so far as the cities and towns were concerned. Your officials thereupon sent out a request to those members that had not paid toward the legislative expense of the regular session, and received from such request the sum of \$370.00.

A year ago there was a balance of \$161.82 in the legislative fund, which with the \$303.82 transferred from current expenses to the legislative fund, and the receipts of \$370.00 from the members, makes a total of \$835.68 that was spent for legislative purposes during the special session of the legislature.

I file with this report an itemized statement of receipts and disbursements of the legislative fund for reference to the auditing committee.

The chairman of the legislative committee will report in detail on the changes made by the legislature and I desire at this time to congratulate the League on having as its chairman of the legislative committee, as tireless and willing a worker and a man with as keen judgment and knowledge of men, as your chairman, Hon. W. A. Hunt, City Solicitor of Ottumwa. Your chairman of the legislative committee was always willing to come to Des Moines to explain the law to the members of the legislature, and he had the confidence of all of the members and the members of the different committees were usually willing to take his advise on matters of legislation.

While members of the legislature had different ideas in regard to many of the bills referring to cities and towns, I am never-the-less convinced that they and members of the committees having charge of the bills relating to cities and towns, at all times honestly endeavored to formulate laws that would best serve the people of the municipalities of Iowa.

We were indeed fortunate that the member of the Code Commission having charge of the municipal bills, was as great a lawyer and as fair minded a man as Hon. James H. Trewin of Cedar Rapids. Mr. Trewin at all times was absolutely fair on all questions in controversy and was ever willing to give an unlimited amount of his time to formulate a bill that would be satisfactory to the various interested parties. I am sure that Mr. Trewin in his work as member of the code commission had but one thought in mind, and that was to render to the state of Iowa the greatest service possible, and I am convinced that he was able to carry out this high ideal

The league is also under obligation to Hon. L. B. Forsling, chairman of the committee of cities and towns in the house. Mr. Forsling studied every bill relating to the municipalities and while naturally your legislative representatives did not always agree with his ideas of what was best, it is certain that he too endeavored to the fullest extent to secure laws that would be of the greatest benefit to all concerned. The cities and towns of Iowa owe Mr Forsling a debt they cannot repay.

In the senate, we were fortunate in having as a very active member of the committee on cities and towns, Hon. Chas. J. Fulton, former mayor of Fairfield. Senator Fulton also studied every bill dealing with cities and towns, and on account of his experience as a municipal official was able to appreciate many of the objections that were raised by your representatives as to just how certain bills would work out in practice if they were not changed. Senator Fulton also often disagreed with your representatives, but was always ready to listen to our arguments and had, I am sure, only the welfare of the people at heart, and to him also is due great credit for the results obtained.

There is naturally criticism of some of the bills passed, but it must be remembered that it is impossible to gather together one hundred and sixty men who will see things alike or who will always see things just as municipal officials see them, and that legislation is a matter of compromise of different views and securing the best laws that can be secured in consequence of many men looking at a question, each from a different angle.

UTILITY CONTROL

On July third, of this year, I presented a paper on control of public utilities at a conference at Iowa City. I took pains to state in this paper that I was not representing the League or the municipals officials of Iowa, but what I said was my own opinion. This paper is being published in American Municipalities, but I want to repeat here the first paragraph of this address.

"In discussing the question as to whether or not we need a utility commission with powers of regulation, what I will say expresses my own opinion only, and while I believe, that, in a general way, it agrees with the opinion of the majority of the municipal officials in the state, I am in no way their spokesman, and what I say in no way pledges them to endorse the position I take."

I understand that some of the public utility companies of the state are finding fault with me for taking the position I did at Iowa City in regard to public utilities and state commissions, but I am only following out the policy fixed by the League at its annual meetings. The League has repeatedly gone on record as being opposed to a state commission and at the last two conventions has adopted the following resolutions dealing with this question.

1922.

"WHEREAS, Through legislative enactment there has been a growing tendency in
this state to create and maintain numerous state
boards and commissions. Politics strengthen
them. Appropriations fatten them. These
powers centralized at the State Capitol have not
in any sense given the cities and towns and the
people of the state a service commensurate with
the cost of maintaining these officers, their staffs
and equipment, Therefore,

BE IT RESOLVED, That this League favors legislation curtailing this extravagance; that we ask in lieu thereof more powers delegated to the cities and towns in the form of local self government, because we believe that much of the wholesale legislation already enacted is not practical and cannot apply to every community.

BE IT RESOLVED, That the League of Iowa Municipalities exert all legitimate efforts to prevent the creation of any public utility commission in the state of Iowa, and that this organization hereby expresses its unalterable opposition

to the establishment of any commission authorized to control or regulate any local utility.

BE IT RESOLVED, That the League of Iowa Municipalities is opposed to placing the fixing of local telephone rates in the hands of the Board of Railway Commissioners or any other State Board but that the fixing of local telephone rates be delegated to the councils as they are the direct representatives of the users of the service."

1923.

"6th—That we are unalterably opposed to placing the control and regulation of any local utitility under the railroad commission or any other state commission or to the creation of a public utility commission of any kind in this state."

So long as the League at the annual meetings takes the position that it is opposed to the control of local utilities by a state commission, I too will take that position, because after all it is the delegates of the annual convention that fix the policies of the League and I am supposed to carry out these policies, and certainly will endeavor to do so. If the time should come when the League should take a position that they favor state control I too will favor state control or will retire as your secretary, but until that time comes, and so long as the League at its annual conventions takes the position that it is opposed to state control, I will certainly do all in my power to retain the supervision over utilities now given the municipalities, even though it might not be entirely satisfactory to the private utilities of the state.

CONCLUSION

I do not feel that this report would be complete without calling your attention to the services rendered by your vice-president during the past few months. Mayor Cowles, who was elected president of the League a year ago, was not re-elected and as soon as the election was over, tendered his resignation as president. Mayor A. E. Gnagy of Waterloo, the vice-president has since that time been acting as president, and has shown more than usual interest in the League and its work and has cheerfully and promptly complied with every request for assistance that I have made.

In fact, every member of the committee and every official of our organization, who has been called on to render a service, has promptly complied with the request, and it is indeed a pleasure to work in an organization where all of the members are working only for the common good, and are willing at all times to give the very best service possible. With an organization made up of men of this kind, we can confidently look forward to greater achievements in the future than in the past.

HOME RULE IN NEW YORK

New York cities now have home rule. An act of the legislature approved April 24, 1924, carrying into effect the home-rule amendment to the constitution of that state adopted last year, permits cities to exercise considerable power of local self-government, including the power to change their form of government without having to consult the legislature, and indeed, without even having to prepare and adopt new charters.

The legislative body of a city now has power to enact "local laws" in relation to the "property, affairs, or government of the city," concerning the following subjects:

- Powers, duties, qualifications, number, mode of selection and removal, terms of office, and pay of city officers and employees.
- 2. Transaction of city business.
- 3. Incurring of obligations by the city.
- 4. Presentation, ascertainment, and discharge of claims against the city.
- 5. Acquisition, care, management, and use of streets and property.
- Wages, hours, protection, welfare, and safety of employees of contractors doing city work.
- 7. Government and regulation of the conduct of the inhabitants of the city and the protection of their property, safety, and health.

Possibility of conflict between local laws and acts of the legislature has been recognized and met by establishing a sphere in which local laws may supersede conflicting state acts. The state acts which may thus be superseded correspond practically to the "local or special" laws regulating cities enacted by the Pennsylvania legislature before the constitution of 1847 prohibited such legislation. Enactment of such laws by the state legislature was permitted in New York until the

adoption of the home-rule amendment. In furnishing a way for provisions of these laws to be superseded by locally enacted laws, the legislature has merely allowed the cities themselves to alter provisions which apply to them and which the legislature now cannot ammend—a more sensible course than completely destroying the power of special and local legislation, as is done by the Pennsylvania constitution.

Notwithstanding the arrangement for exercise of broad powers without the writing of a charter, the people are not excluded from the determination of important issues. No local law can become effective until "a public hearing thereon has been had." Local laws on certain subjects must be submitted to a referendum and receive a majority vote before they become effective. Provision of a new charter is perhaps the most important of these subjects. Included among these subjects also are significant changes in the form of government, particularly in its elective offices; and changes in provisions of law relating to public-utility franchises.

On certain other subjects local laws may be required by petition of citizens to be submitted to referendum. The more important of these subjects are assessments for taxation, special assessments for improvements, condemnation of property, bond issues and pension funds.

A new charter, as has been shown, may be enacted as a local law, subject to referendum. The home-rule act also provides that a city council may submit to the voters a proposal for a charter commission, and if the commission is agreed to, and a charter is drafted, that instrument may be adopted by popular vote. Commission-governed cities may initiate charter proceedings by a petition of voters.

Not enough time has elapsed to justify any conclusion as to the effect of the act on cities. The effect on legislation at Albany, however, as reported by observers, has been good. Not only was the last session of the legislature freed from local bills, but many bills general in guise were sent back to have their issues settled locally—with a corresponding gain in time and interest for state affairs. [Citizens' Business.]

The city of Tama will vote on September 15 on issuing forty-five thousand dollars worth of bonds for waterworks improvements,

Report Committee on Judicial Decisions

City Solicitor, G. A. Minnich, Chairman, Carroll

This report covers the decisions affecting municipalities following the last case which we reported to this body at the 1923 convention, to page 178, 199 Northwestern reporter.

As stated last year, we have not gone into minute detail regarding matters not considered to be of great interest to a majority of the members of this convention. To have done so would have resulted in a report too lenghty to be discussed in the time allowed. We have endeavored to include those matters which we believe to be of general interest to the officers of the municipality.

The cases have been treated under a general heading and where more than one important branch of law have been covered in the decision the case has been placed under what seemed to be the most important proposition discussed.

SEVERENCE OF TERRITORY

The case of Lorimer vs. Incorporated Town of Lorimer, 195 NWR 199, is important to a number of small towns.

The Town of Lorimer was incorporated in 1892 and originally contained 2240 acres. this action it was sought to sever 1910 acres, leaving the corporate area to consist of but 330 acres. The court granted the severance and in doing so considered the population of the town, its growth in recent years, its lack of any natural resources upon which its future growth could be based, and that it was dependant entirely upon a farming community. They also took into consideration the fact that of the 330 acres 156 acres have been platted and the other 174 acres still remain unplatted. The court states that if the only desire of the town in retaining the land in its territory was for taxation, severence should be granted, but that if the territory was needed by the town the territory should not be severed in order that the inhabitance might escape taxation.

CONTRACT

In Iowa Electric Company vs. Incorporated town of Winthrop, 198 NWR 14 which was a suit to collect for electric energy furnished the

town under a contract not submitted to its voters, it was held that the contract was invalid as such contracts, under Section 720, Code of 1897 as amended, made it necessary to submit such contracts to voters and that the Company could not recover for energy which had been previously furnished.

In Humbolt County vs. Incorporated Town of Dakota City, 196 NWR 53, the plaintiff is a County of Iowa, and the defendant an incorporated town of Iowa. The plaintiff sought to recover against the town the sum of \$8,300.00 and interest, and prayed for an order of mandamus to compel the defendant to levy a tax to pay it. The town had petitioned and passed a resolution, directed to the Board of Supervisors. asking said Board to take over certain streets. being highways and rural post roads within the definition of Congress relating thereto, to meet the requirements of Federal aid, and surrendering complete jurisdiction and asking the Board to construct permanent improvements and maintain the same. The court held that an organized town, having a legal right to do so, makes a contract for improvement of a street and the other party of the contract had acted thereon, the town cannot escape payment where there is a lawful means by which payment can be made; that a city has a right to improve its streets and pay therefor from the general fund, or from the highway or poll taxes, or partly from each of said funds, under Code Supplement 1913, Section 751, and it is not necessary that it proceed under Code 792,840, though it might do so if it saw fit; that an organized town cannot surrender the control of its streets, so as to escape the obligation to keep the same in a reasonably safe condition; that such a contract, to secure federal aid, cannot be said to be one abdicating the control of its streets, and the contract with the county cannot be attacked on that ground.

STREETS AND ALLEYS

In McKinney vs. Rowland, 187 NWR 88, where the incorporation of a town was discontinu-

ed in compliance with Code 1897, Sections 604 to 609, the town then became classified as a village or unincorporated town, but its streets, alleys and public grounds remained in existence, and the right of the people to use such streets continued, subject, in view of Code 1897, Sec. 1507, to the control and jurisdiction of the Board of Supervisors of the county.

Where, upon the termination of the corporate existence of a town, the Board of Supervisors vacated portions of certain streets as highways, described on a plat as originally accepted by the town, but the town took no steps to vacate the streets, and no proceedings were taken by the proprietors of the plat or by the lot owners. as provided in Code 1897, Sec. 918 et seq., to vacate the plat or any portion thereof, such action of the Board of Supervisors operated only as a withdrawal of the jurisdiction of the board over such streets, and the right of the proprietors or owners of the lots to use as highways the streets so vacated continued to exist, and no lot owner could assert a claim of ownership or dominion therein.

Upon the acceptance of a town of the original plat, a road described thereon becomes a street, and the absolute title vests in the municipality for the use and benefit of the public.

In Mettler vs. City of Ottumwa, NWR 1000, it was sought to permanently enjoin the City from closing an area way in the street. It was held under the Code 1897, Secs. 751, 753,792, control and supervision of municipal streets are confided to municipal councils. and it is their duty to maintain them free from nuisance and obstructions, and their power extend to areaways; that permission granted to the owner of private property to use a portion of the street for an areaway may be revoked any time in sound discretion of the council. This is an interesting case and while the facts set out show that this particular areaway was constructed under permission of the council, containing a clause allowing the city to revoke it on six months notice, the court intimates, after citing past authorities, that the city would have the right to remove an areaway even though no such clause were in the permit whenever if in the sound discretion of the council the public needed the space or street.

TORTS
Norman vs. Sioux City, 197 NWR 18.

In an action against the city for injuries caused by a space of two inches between the end of a cement sidewalk and wooden approach, evidence was held insufficient to sustain a finding of negligence against the city; that a city is not an insurer of pedestrians, and is not bound to maintain perfection in its sidewalks, but is bound only to exercise reasonable care to maintain its walks in a reasonably safe condition. This is the measure of its duty. Though such duty be fully performed, accidents may and will happen to pedestrians and there will always be a particular cause for every accident. It will not do to assume that every particular cause of an accident to a pedestrian is a defect or fault chargeable to the city.

In Ferguson vs. City of Des Moines, 198 NWR 40, the city was sued for damages sustained by the plaintiff on account of his automobile colliding with a street car at night. The city had placed a pile of dirt on the edge of the street preparatory to making some repairs and placed lights thereon. The court held that the city was not negligent per se in leaving a pile of dirt upon the street for use in repairing a pavement, if it takes ordinary, usual, and reasonable precautions to warn the public thereof, and that the plaintiff has the burden of proof in showing negligence in failing to properly warn the public of such obstruction; also that the negligence charged was the proximate cause of the injury.

In Eickelburg vs. City of Waterloo, 198 NWR 638, the court held where a pedestrian was injured by falling on an icy sidewalk constructed across a driveway of school premises. the city was not liable merely because the driveway, which was properly constructed, caused water from the premises to flow onto and across the sidewalk, which dips slightly towards the street; that ice on a sidewalk formed within twenty-four hours before pedestrian's injury did not exist for a sufficient length of time to give the city constructive notice of its existence, and that the city was not liable for pedestrian's injuries from falling on ice formed within twentyfour hours before accident and existing in its original and natural state.

SPECIAL ASSESSMENTS

In Harris vs. Evans, 195 NWR 178, the

proceeding arose through a contest of a tax deed. The paving was done several years before the tax sale. It was held that plaintiff could not then raise objections that two assessments were made against a corner lot and that they exceeded 25% of the value, as these objections should have been raised before the council; also that aside from this a corner lot could be legally assessed for street improvements constructed on both sides; that where property was separately assessed for improvements of two streets, which was twice advertised for sale for the separate assessments, it could legallly be advertised and sold for the aggregate of the two assessments in a subsequent year under Code Section 1425. The court further held that where a lot held for improvement of one street, and 150 feet of this lot was assessed for improvement of another street, was sold at tax sale, the certificate of purchase recited that the whole lot was sold, but the tax deed conveyed only 150 feet, the certificate holder was entitled to have the deed reformed to convey the entire lot as of the date of the deed.

In Illinois Central Railroad Company vs. Incorporated Town of Pomroy, 194 NWR 913, it was held that an affidavit of publication of the notice of resolution of necessity filed four months after the publication was good; that the burden of showing that the assessment was unjust and unequitable was upon the property owner; that a personal judgment should have been made against the Railroad Company and that the fact that the town had incurred more expense for improvements than perhaps should be borne by small towns is no ground for an attack on the validity of an assessment.

Chicago, Mil. & St. Paul Ry. Co. vs. Town of Churdan, 195 NWR 996.

Here was an appeal from a sewer assessment fordered by the council against the railroad property comprising its right of way. The Company contended that its right of way was not assessible for sewer purposes in any amount and that its right of way was only an easement and relied on the case of Chicago, Rock Island & Pacific Railway Company vs. Ottumwa, 112 Iowa 300, in which the court so held. Afterwards the statute as to street improvements was amended so as to make railways liable for this assessment but made no reference

to sewer assessments and it was contended that the old law, as in the Ottumwa case, still held. The court says in those cases emphasis was laid that the railway interest was a mere easement and the fee was in another party. But in the instant case the railway secured a fee title with no reservation and they were liable for the assessment in spite of Section 2015 providing for loss in case of abandonment.

In re Floyd Park Addition to Sioux City, 196 NWR 60, the stockyards company had filed a petition with the city council asking for paving of what is known as Foyd River Road, together with a waiver of the statutory limitations of twenty-five per cent of the actual value of the property benefited. The improvement was made and an assessment of \$19,052.61 was made against lots 8 and 9, Floyd Park addition, owned the stockyards company. On appeal the assessment was reduced to \$11,983.87. The city appeals on this basis. Two primary objections were made to the assessments. First, that the assessment was made upon a narrow strip of ground east of the Floyd river and west of the pavement, about 900 feet long and containing about 35,500 square yards not owned by the company. Second, that the city is the owner of a strip of land constituting the bed of the Floyd river adjoining the paved street 900 feet long and 120 feet wide, which was wholly omitted from the assessment.

In the year 1903, the Floyd river ran in a northwesterly direction and was then changed to run in a southerly direction. The land for this new channel was deeded by the stockyards company to the city. The road was changed and its right of way was deeded by Armor & Company to the city.

The method of assessment consisted of two zones, the first 50 feet constituting the first zone, 50% being charged to it, and the other half was charged to a zone running from this to 300 feet from the improvement. No assessment was made on the river bed. The court held that where a waiver of the 25% clause was given the property owners still had the right to appeal on the ground that his assessment was not equitable as compared with other lands in the assessment area, also that there be no evidence of wrongful assessment as to benefits, it would be presumed that the assessment of benefits was

correct.

In re: Paving streets in Floyd Park Addition, in the city of Sioux City, 196 NWR 597 the property owner petitioned the council to pave certain streets, said petition containing a clause waiving all claims for any excess of the paving over and above twenty-five per cent of the actual value of the property. The court held that the express waiver of the twenty-five per cent by the property owner did not prohibit him from appealing from a fraudulent assessment, or insisting that the assessment should not be unreasonably or unnecessarily excessive. It held that an assessment greater than the original value of the property was not unnecessarily reasonable and that one waiving, as in this case, must be held to have agreed that his property shall stand the due proportion of the reasonable cost however much that may exceed the benefits or value of the property. It also holds to the theory that the improvement benefits the property, however, it is not necessary that it be reflected by an increased market value but the future must be taken into consideration.

The case of Hauge vs. City of Des Moines 196 NWR 68, involves an assessment for opening a street known as University Avenue in Des Moines. As assessment was attempted to be made for opening a part of this street on lots situated four miles distant from the proposed improvement. It was held that the property owner had a right to appeal on the ground that the property was not adjacent as provided in Section 751 of the Code and that he could be heard because that question went to the validity of the assessment.

In Smith vs. City of Marshalltown, 196 NWR 734, the court held that where a storm sewer drains low and high ground the high ground will pay a less amount than the lower and that on appeal the court, under Section 792c Supplement 1913, had a right to make the assessment.

In St. Mary's Chuich vs. City of Pella, 196 NWR 949, decides that the provisions of Section 830 providing that any person appealing from a special assessment shall file a bond approved by the Mayor or Clerk, is mandatory, and neither officer could waive it by agreeing in advance to accept the surety.

In Hahn vs. City of LeMars, 197 NWR 8,

the appellee was the owner of a farm of approximately 66 acres, all except a half acre within the boundries of the city. Cedar Street extended north and south, and appellee's property abutted upon this street for a distance of 1133 feet. The sewer in question was constructed in the center of Cedar Street opposite appellee's land for a distance of 990 feet. There were no streets or alleys located upon appellee's land. The residence and farm buildings are at the west end of the tract and 1280 feet from the west line of Cedar Street. Appellee occupies the tract of land as a home and farms the same. It was held that in considering the benefits, consideration should be made of the availability of platted lots in the city and the average yearly growth and that the assessment should not be necessarily limited to the present use of the property assessed.

In Guenther vs City of Des Moines, 197 NWR 326, an action was commenced in equity to prevent enforcing of liens of special assessments for the cost and expense of grading a street. The resolution provided that the cost and expense to the city by way of damages and in acquiring the necessary ground for opening the street were to be paid by assessment. It was held that as the resolution of necessity only stated that the cost of acquiring the ground and of the damages were to be assessed, only that amount could be assessed for the reason that under Section 751, the city had a right to pay grading from the general fund or from the highway or poll taxes, or partly from each, or by assessing the cost on the abutting property.

In re: Gilcrest Company, the city assessed a tract of land, in an excellent resident district, leased to a golf and country club, which lease would soon expire, the only question being on the benefit to accrue. It was held that some legal reason must be given to have property in an improvement district escape a proportionate share of the assessment, it not being a function of the court to create exceptions or exceptions in the matters of taxation. That where special benefits from the construction of a sewer system inured to land, in was not exempt, though the benefits by reason of the present use of the land were not immediately available; that even though the benefits from a sewer were not instant on its

(Continued on page 230)

Does Iowa Need a Utility Commission

By Frank G. Pierce, before Public Utility Conference at Iowa City.

(Continued from last issue)

TELEPHONE COMPANIES

There can be no question as to this in regard to telephones. Iowa has more telephones per capita than any other state in the union, and of course more than any other country in the world. According to the last government reports, Iowa has 22.3 telephones per hundred population, or one for each four and one-half persons in the state. This development has been brought about with no regulation. As many other states are just as wealthy as Iowa and has just as intelligent people, with just as many wants and desires, it might well be taken as a fact that this wonderful telephone development in Iowa has been brought about because the telephone companies have been free from regulation, other than the regulation of the common law that provides that rates for public utilities must be reasonable and the futher regulation of the fear of competition.

In this state, the telephone companies have been free from the great expense caused the utility companies in other states by state regulation. It is currently reported that in the five years after state regulation of telephones became the rule in Minnesota, that it cost the telephone companies over one million dollars just for the purpose of the valuation of their properties on the basis fixed by the state commission. This more than one million dollars and all of the other expenses of the companies caused by the state regulation was, under the law and rules of the state commission, added to the cost of service of the telephone companies. When it costs the utility companies a million dollars for the state regulation it in reality does not cost them a penny, because under the law they are entitled to a reasonable rate and this million dollars is at once passed on to the consumers.

The telephone companies seem to be opposed to any regulation unless it is state wide in its application.

If the argument is good that a city should

not have the right of control and regulation of telephone companies because the telephone system is connected up over the entire state, then the argument is equally sound that the state should not have control over telephone companies because the telephones are connected up with a net work of exchanges and toll lines that cover the entire country. If local regulation is not the correct solution, state regulation is also a mistake, and we should at once turn the entire telephone business over to the control of the national government.

The Interstate Commerce Commission now has complete jurisdiction over the telephone business so far as interstate busines is concerned. Under the rule by the supreme court of the United States in the railroad rate cases the state has no jurisdiction of toll rates if any part of the system used in the toll call is part of the interstate system. Take away control over toll rates and the telephone companies can be regulated by the councils just as well or better than by a state commission.

In an argument before a committee of the legislature opposing the local control of telephone companies, a representative of the telephone companies made the statement that telephone rates were lower in Iowa than in any other state of the union. If this statement is true there can certainly be no good argument for a state commission in this state to have control of the telephone companies.

I was somewhat doubtful as to the correctness of this statement and went to some trouble to try to secure the rates from cities in adjoining states under the control of state commissions. Of course the rate in itself is not the determining factor, because one exchange might have many more telephone connections than an exchange in a city of a similar size, but the fact that we have the greatest telephone development in the country would reasonably prove that our telephone exchanges in cities of similar size have at least as many stations as the exchanges in

other states.

For the purpose of comparison of telephone rates and also for rates for electricity and gas, I selected the cities of Des Moines, Sioux City, Cedar Rapids, Waterloo, Mason City, Iowa City and Shenandoah; cities in Iowa located in different parts of the state and of different popuulations running from 126,000 to 5,000. the purpose of comparison I selected the cities in Illinois, Indiana, Wisconsin, Minnesota, Nebraska, Kansas and Missouri having a population nearest to the population of these Iowa cities and secured information from most of them. I knew nothing about the local situation in any of the cities outside of Iowa, and little about the situation of the cities in Iowa. I could not make an investigation of all of the cities in the country, and this plan seemed to me the fairest that I could adopt and still secure reports from a reasonable number of cities for comparison. A table of the results of this investigation is given at the end of this paper.

This investigation showed that it is true that telephone rates are lower in Iowa than in any of these adjoining states in which the telephones are controlled by state commissions.

In view of the fact that we have a larger telephone development in Iowa than in any other territory in the world, and that our rates are lower than in the states with commission control, the people of Iowa might well be satisfied with present conditions, and if we cannot have local control we should most certainly not have state control that must necessarily add to our cost of telephone service.

We must remember that even with the telephone companies, we do have regulation of prices and service, in fact we have the best regulation in the world, and a regulation that is absolutely lacking in states with commissions, that is, regulation by the telephone company itself on account of the fear of competition. We do not want two telephone exchanges in our city, but the fact that the managers of the telephone companies know that if their rates are too high or if their business policy is to arbitrary, that the people themselves may finance and build a competing telephone exchange, has a tendency to hold those managers who would abuse their power to a reasonable exercise of the same.

So far as the telephone business is concerned

we are indeed fortunate in Iowa and if the telephone companies would adopt a little more intelligent policy and let the people of the state know, not simply by their statements, but by definite facts and comparisons, that the telephone rates are lower in this state than in other states, the agitation for any control of the telephone companies would soon cease.

ELECTRICITY

My investigation of rates for electric current shows that the rates are as low or lower in Iowa under local control as they are in other states under state control.

On account of the great number of different rates, it is impossible to compare the various items, but there is one service that is universal, and that is residence lighting. This residence lighting is the one service in which all of the people are interested, and so this is the service that I adopted for comparison. While there are many factors that enter into the rates charged in the different cities, these factors cannot of course be considered in a discussion of this kind, and after all what the people are interested in is not the numerous technical and legal factors that enter into a rate, but just what rate they must pay for a given service.

So long as our electric companies, or at least those companies that have intelligent management, make a remarkable growth from year to year and make a good return on their investment, and so long as the people, or at least the large per cent of them, are satisfied with present conditions, there can be little excuse for adopting the policy of state regulation for the purpose of protecting a minority of the companies from their poor business management.

GAS

There is no possible argument for taking the control of gas companies away from the local communities, except the one that some companies believe they can deal with a utility commission to better advantage than with local councils. The gas plants are local and the same difficulties in figuring rates do not present themselves in the case of gas, as are claimed to be present in the case of telephone and electric current.

PAST LEGISLATION

It is absolutely misleading to talk about the numerous utility bills introduced in the legisla-

ture in Iowa, and in fact about most of the public utility laws in other states, as bills or laws for the regulation of corporations. The provisions in regard to regulation are the smoke screen to hide the real provisions of perpetual and exclusive franchises.

My corporation friends will say that the indeterminate franchise is not a perpetual franchise or that the provision requiring an order from the state commission before a competing utility can be installed is not an exclusive franchise, but in actual practice this is the result obtained and it is the result that is intended to be obtained. The few cases in which an indeterminate franchise has been declared void or in which a competing utility has been granted a permit, are simply the exceptions that prove the rule.

It has for many years, been the policy in Iowa to prohibit exclusive franchises and, outside of the telephone companies in operation before 1897, the rule has been against perpetual franchises.

In the good old days of the past century, when the corporations controlled the courts, our supreme court picked out a section of the law, not specifically applying to cities and towns, and presented the telephone companies millions of dollars by holding that telephone companies had a perpetual franchise. Fortunately the exclusive feature was over looked and the rule still prevails, that a telephone company does not have an exclusive franchise.

Just as soon as the courts held that the telephones had a perpetual franchise, the legislature, which after all is the representative branch of our government, passed a law requiring telephone companies to secure a franchise from the cities and towns.

The Wisconsin utility law, the Indiana law, and in fact most of the state laws, have a provision to the effect that a municipality may condemn the property of a utility when the people have voted in favor of the policy of municipal ownership. This is the one provision in the utility laws in favor of the people, and it is the one provision that has been left out of every one of the public utility bills in this state at the time they came up for passage in the legislature.

SUGGESTED LEGISLATION

The greatest argument of the utility advocates, both within and without the legislature, is the statement that a local council cannot secure the facts on which to fix rates without prohibitive cost, and that the members of the council will be unfair in deciding as to what constitutes a fair and reasonable price.

The last objection is at least doubtful and the first objection can be easily corrected if the utility companies really desire to assist the councils in arriving at a just decision.

A simple amendment to the present law to the effect that when a council passes a resolution that it is about to revise rates, that it can subpoena the proper officers of the utility company before a judge of the district court and bring out the facts on which it must fix the rates, will correct the difficulties of the councils.

An objection might be raised to this suggestion that utility companies already are willing to give the councils the facts and to allow councils to inspect their books. This objection would be true if humanity were perfect, but unfortunately we have not progressed very far since St. Paul declared in his wrath that all men were liars. Believing in the teachings of the prophets as they do, municipal officials will not always believe the lawyer or the business agent of the utility company who with such bland candor states that he is placing all his cards on the table face up. judicial hearing before a judge with the witness under oath and with the right to cross examine would result in the statements presented having more weight with the average man.

From the results of the recent primaries, I believe there will be no possible chance in the next legislature to take any powers away from the local authorities or place any additional powers in the hands of any state commission. If this is true then the utilities and the municipal officials should try to make the present law better and easier to carry out. If the utility companies are willing to leave the plan of local regulation as it is and desire to improve the law and make it better, I believe that the great majority of the municipal officials will be willing to cooperate to the greatest possible extent.

CONCLUSION

From the time that Hamilton and men of his political thought, tried to form a government in this country of the aristocracy of wealth and brains, and Jefferson and men of his type, insisted on a government for the people, and by the people, there has been a constant conflict between the idea that the people cannot be trusted, and the idea that the people can be trusted.

This same conflict is at the bottom of the demand for control of utilities by state commis-

sions. Many believe that the people are not qualified to run their own government and affairs, and that the best government would be secured by taking all powers from the local communities and placing them in the hands of state and national commissions and heads of de-

	CITY	POPULATION	TELEPHONE RATES		ELECTRIC RATES		GAS RATE 1000
		FORULATION	BUSINESS	RES.	PER. KWH.	MIN. BILL	CU. FT.
1.	Des Moines, Iowa	126468	\$ 6.75	\$ 3.00	.063	.75	\$1 35
2.	Ft. Wayne, Indiana	86549	6.00	2.75	.0602 (M)	.50	1,25
3.	Milwaukee, Wisconsin	457146	*4.00	4.50	.080325	.00	.75
4.	Duluth, Minnesota	98917	8.00	3.75	.06045		1.60
5.	Omaha, Nebraska	191601	8.80	0,10	.052		1.29
		101177	11.00	4.00	.0602 (M)		1,40
6.	Kansas City, Kansas	101177	11.00	4,00	.0002 (NI)		1.25
7.	Sioux City, Iowa	71224	6.00	2.75	.09032	1.00	
8.	Peoria, Illinois	76161	8.00			1.00	1.50
9.	South Bend, Indiana	70932	9.00	4.25	.08-,05	1,00	1.45
10.	Racine, Wisconsin	58593	5.50	3,00	.0803(LR)		T.TO
	Wichita Vances	72217	6.00	3.00	.0804		1.64
11.	Wichita, Kansas	77939	0.00	3.50		.50	1.04
l2.	St. Joseph, Missouri	11909		3.00	.094047		
13.	Cedar Rapids, Iowa	45566	5.00	2.50	.11-§		1.35
l4.	Decatur, Illinois	43818	6.00	3.00	.1004	.76	1.40
15.	Gary, Indiana	55378	8.00	3.75	.072045	1.00	1.00
7.	Kenosha, Wisconsin	40472	4.75	4.75	.11035 LR	1.00	1.35
17.	Lincoln, Nebraska	54648	7.00	2.75	(N) .0503(M)	.50	1.18 (M)
8.	Topeka, Kansas	50022	7.00	3 00	.07	,00	.80
9.	Waterloo, Iowa	36230	5.00	2.50	105 045		1 50
		36397	7.00	3.50	105045		1.50
0.	Aurora, Illinois	36004	8.00	3.75	.10	.50	1,20
21.	Hammond, Indiana				.055(O)		1.58
22.	Oshkosh, Wisconsin	33162	3.50	2.60			
23.	Hutchinson, Kansas	23208	4.50	2.25	.09–.05		
24.	Mason City, Iowa	20065	4.00	2.00	.1209		1,65
25.	Freeport, Illinois	19669					
26.	Michigan City, Indiana	19457	3.50	2.00	.09		1.65
27.	Eau Claire, Wisconsin	20906	1			1	2.00
28.	Winona, Minnesota	19143	5.00	2.75	.1104		1.69
29.	Pittsburg, Kansas	18062	3,50	2.00	.11-,01		1.00
30.	Hannibal, Missouri	19306	4.50	2.50	.0806(M)		
01	Jowe City Jowe	11267	4.50	9.00			4 00
31.	Iowa City, Iowa		4.00	2.00	.1207		1.60
32.	Blue Island, Illinois	11424					
33.	Frankfort, Indiana	11285	~ 00				
4.	Ashland, Wisconsin	11334	5.00	2.75 .	.10	.75	2.00
5.	Fairbault, Minnesota	11089	4.50	2 50	.10504		1.85
36.	Hastings, Nebraska	11647	4.75	2.25	.065035 M		1.75
7.	Arkansas City, Kansas	1125g	4.50	2.50	.08004		
8.	Independence, Missouri	11868	4.50	2.25	.0807		1.60
9.	Shenandoah, Iowa	5255	3,50	2.00	195 005		9.00
0.	Savana, Illinois	5237	0.00	2.00	.135065		2.00
1.	Kendallville, Indiana	5273					
2.	De Dere Wisconsin	5169	4.00	2,25			
	DePere, Wisconsin						
3.	Cloquet, Minnesota	5127	(P)2.50	1.50	.09045		
4.	York, Ncbraska	5388	3.75	2.00	.1006		
5.	Pratt, Kansas	5183	2.50	1.50	.1211		

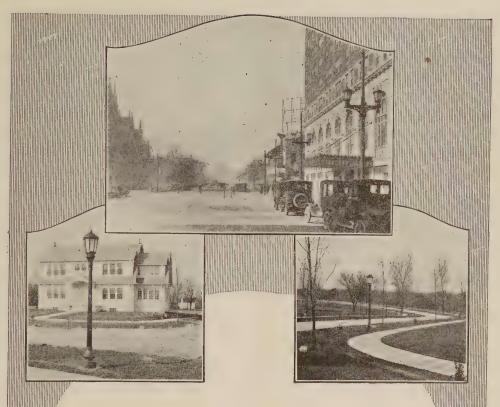
^{* \$4.00} for 80 Calls

⁽M) Municipally Owned Plants

⁽O) In addition to Area charge of .40 and in addition .05 for each 100 feet of floor area in excess of 500 square feet.

⁽P) Application has been made by Telephone Company to increase rates to \$4.00 and \$2.25 (L. R.) Rate includes lamp renewals-

⁽N) Plus 40 cents fixed charge per month.



New and Better Street Lighting

MODERN street lighting is today recognized as one of the most important incentives toward municipal improvement. It encourages a civic pride, creates a feeling of safety and stimulates business activities in many ways.

Louisville, Ky., realizing the great importance of correct and efficient street lighting, specified Westinghouse Octagonal Tops mounted on municipal brackets, thus assuring well-lighted streets. In the development of Cherokee Village, a suburb of Louisville, Westinghouse ornamental street lighting also has played an important part—affording lighting equipment that beautifies and harmonizes with its surroundings.

Think how well-lighted streets will improve your municipality. Westinghouse Illuminating Engineers will be glad to advise you on the correct type of lighting to give the best results.

Westinghouse Electric & Manufacturing Company George Cutter Works South Bend, Indiana Sales Offices in all Principal Cities of the United States and Foreign Countries



Westinghouse

partments. Fortunately the vast majority of our people believe that they themselves can be trusted. They resent the suggestion that they are incompetent to look after their own interests, and that they must be protected from their own mistakes by some one with a supermind.

I am firmly of the opinion that the people can be trusted and that it is better to have our citizens taking an interest in public affairs even though they sometimes decide questions of importance to their own detriment. In the long run I much prefer to trust the judgment of the majority of the people, rather than the judgment of those who believe that they belong to the chosen few who are selected to decide all questions of policy and politics. In this country we must trust the people and in so far as utility regulation is concerned, the only way in which we can do this is to leave the control of these public utilities that are so vital to their comfort and happiness in the hands of their direct representatives, the councils of the cities and towns.

Committee on Judicial Decisions

(Continued from page 224)

completion, if they will materialize with the development of the land for residence purposes, they were none the less benefited because the present use of the property was not materially affected by the improvement.

In case of Tiaden vs. Town of Wellsburg, 198 NWR 772, it was held that on appeal, under Code Section 830, from assessment of benefits, to which objections were filed before the town council as provided by Section 824, other objections cannot be raised, as jurisdictional, any more than grounds not embraced within issues of suit for injunction for fraud or invalidity of proceedings, as was first urged in the supreme court; that the land owner agreeing to modification of the original plan of sewer construction and construction of part of sewer down line of draw on his premises, cannot complain there on an appeal from assessment; that the amount of assessment for benefits from the sewer is not necessarily limited by present use to which the owner devotes property, as future prospects and reasonable anticipations may be considered.

In Carbon Coal Company vs. City of Des Moines, 199 NWR 170, it was held that under Code Sup. 1913, Section 793, a resolution order ing the construction of pavement adopted on a vote of three of the five members of a city council of city having commission form of government, without petition of property owners, was invalid.

Brighton: "Do you think the Chief of Police will be able to stop gambling in this town?"

Snivey: "Well—I hear he wants to bet \$1000 that he does.



SOMETHING NEW

BI-LATERAL ROCKER LUG COUPLINGS

They will ride over obstructions like on wheels

They will not catch on the street, curb, pavement, walk, steps, ladder rungs or on the roof, gliding smoothly over all obstructions without catching and jerking those taking a stream of water into a building. No spring or contraptions to get out of order.

They cannot cut or snag the jackets when the hose is pulled off the apparatus at a fire.

They will load easier and the oblong lugs will not injure the hose jackets with which they come in contact when oaded on apparatus.

They will prevent the pulling off of several folds of hose at one time when laying a line for a fire.

The oblong lugs form a better hold to loosen and tighten by hand and will not injure the hand of the fireman.

You can hammer these lugs to your heart's content. You cannot break them. We furnish a combination spanner that fits the old round lug, and the rocker lug, so that using both in a department causes no inconvenience.

BI-LATERAL FIRE HOSE CO.

SEND FOR CATALOG

9 South Clinton St. CHICAGO SEND FOR CATALOG

THE INSIDE STORY of IOWA POSTER ADVERTISING

What Thinking Newspaper Editors Say:

THE EVENING JOURNAL

MEMBER OF AUDIT BUREAU OF CIRCULATION
Elder, Shannon & Company, Publishers.

WASHINGTON, IOWA.

"Simpson Poster Advertising Co.

Washington, Iowa.

Dear Mr. Simpson:

This paper considers that any form of advertising is valuable if used intelligently. YourPosters in the Washington community are well placed and well cared for, and we are sure that they tie up well with the national advertising that we carry in our columns. Poster and newspaper advertising should work very capably together. National Advertisers seem to be recognizing that fact more and more each year.

THE EVENING JOURNAL (Signed) R. E. Shannon'

Spencer, Iowa

"To Whom It May Concern:

Mr. D. H. Wollam of the M. & M. Poster Advertising Company is one of Spencer's best citizens, and his company is one of the largest and best poster advertising companies in the United States.

"We have known Mr. Wollam for some time and have found him to be one of the biggest boosters in every way that it has been our pleasure to meet. His time and his money are always at the disposal of any organization having for

its purpose the betterment of the community in which it operates.

"Mr. Wollam puts out only high class poster panel advertising. No cheap or unsightly methods are employed. Mr. Wollam is a keen student of advertising and a great booster for newspaper advertising as well as poster advertising, and the co-operation which exists here in Spencer between his company and the newspapers has resulted in much additional advertising for both parties. We find, that instead of antagonizing the newspaper interest, Mr. Wollam and his company really benefit them.

THE NEWS-HERALD CO. (Signed) E. L. C. White, Publisher."

Iowa Poster Advertising Association

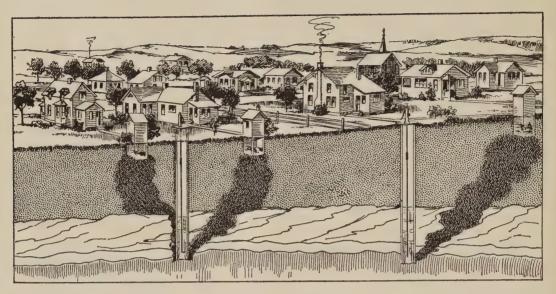
J. B. Stewart, Pres. Clinton A. J. Busby, Vice-Pres. Waterloo

Fred E. Trainer, Secy.
Ackley

Elbert Payton, Treas. Centerville

The Story of Poster Panels—Not Billboards—There is a Difference.

Is This a Picture of Your Town?



Privy Vaults and Cesspools Leaking Into Your Wells.

COUNCILMEN:

Are you going to sit by, and let this condition exist in your town? It can be corrected by the COUNCIL showing the property owner, for how small a cost he can have a Sanitary Sewer System for his home and thus protect the life of his family.

Three-fourths of all town wells examined last year by our State Board of Health show this condition, endangering the health and physical condition of the citizens of our smaller towns. Proven conclusively by the examination statistics of the recent draft boards. These conditions causing typhoid fever, dysentery, hookworm and tuberculosis, have been eliminated in our cities by building sewer systems, which may now be built at small cost.

We stand ready without charge, to help councils with such improvements. To hold public meetings, furnish speakers, help with plans and procedure.

Sewers are built by vote of the council only. No bond elections, or municipal debt incurred. Cheaper than cesspools and last for centuries. Not an expense but a real investment. Ten years to pay for them in small annual payments, usually less than seven dollars per lot. Towns grow, property values double after their installation. Urged by the State Board of Health and must be built eventually by every town.

Write us for full information on how to proceed and present costs.

The Mid-West Improvement Association

V. D. COBB, Iowa Secretary INDIANOLA, IOWA

"OUR SERVICE IS WITHOUT CHARGE"

YOUR CITY CAN ATTRACT NEW INDUSTRIES

By Offering Plenty of Water at Low Cost

New factory locations are often chosen because of an excellent water supply—not only for manufacturing use but also for fire protection.

Your city may be located over a water bearing stratum that will yield water in large quantities and of good quality.

The Layne Well System will develop this pure ground water at a lower pumping cost than by any known method.

Scientific methods make it possible for us to actually guarantee to you a definite quantity of water.

LAYNE & BOWLER COMPANY

Memphis, Tennessee

Associate Companies

Layne-Bowler Chicago Co, Layne-Western Co. Old Colony Bldg., Chicago, Ill. Mutual Bldg., Kansas City, Mo.

FIRE HOSE

Hawkeye Standard, Double Jacket

For Fire Departments of Cities. Guaranteed for three years against defects in material and workmanship. Reliable and economical

Hawkeye Standard, Single Jacket

For Fire Departments of small cities and towns. Guaranteed for three years against defects in material and workmanship. The best hose for volunteer fire departments.

Write for Samples and Prices

Municipal Supply Co.

FRANK G. PIERCE, Manager Marshalltown, Iowa

Warrenite Bitulithic Superior Pavement

BECAUSE

it is composed of the highest quality of materials so combined as to give maximum stability and wear in a resilient waterproof surface.

Warren Brothers Company through its extensive laboratory and field inspection and research organization has spent more than twenty years in perfecting the selection of the proper materials and the most efficient methods of using them.

Every square yard of pavement constructed is laid under the supervision and with the advice and collaboration of Warren Brothers Company, whose interest in securing the best results is greater than that of any contractor, official or property owner.

More than 97,000,000 square yards have been laid in over 650 cities and municipalities throughout the world, many cities using no other type of pavement, and a large majority awarding repeat contracts for Warrenite Bitulithic year after year.

Send for literature and specifications.

Warren Brothers Company

1307 Otis Building

CHICAGO, ILL.

Classified Advertisements

Officers of members of the League of Iowa Municipalities may run one advertisement each month free of cost.

FOR SALE—One Studebaker, horse drawn, air pressure combined street sprinkler and flusher in excellent condition. C. W. Wakeman, Ft. Dodge, Ia. 49

WANTED—A second hand forty gallon chemical tank mounted on wheels. F. D. Mongold, Clerk, Varina.

FOR SALE—Owing to the ever increasing traffic the city of Davenport has recently installed automatic traffic regulators and by so doing has abandoned the

use of our mushroom traffic lights.

We now have on hand seven (7) complete units as manufactured by the Essco Manufacturing Company of Peoria, Illinois. These signals cost the city of Davenport ninety dollars (\$90.00) each and have worked very successfully for three years. This city will dispose of these signals for forty dollars (\$40.00) each.

If your city is interested, kindly write or call F. W.

Friedholdt, Purchasing Agent, Davenport, Iowa.

FOR SALE-Rumley oil pull Tractor 16x30. Priced to sell. If interested write B. Tallman, city clerk, Creston, Iowa.

FOR SALE—A 50 ft. steel tower in good shape. capable of sustaining 50,000 gal. of water. Town of Schaller, Mamie E. Currie, Clerk.

FOR SALE—Power Pump 150 gal. per minute Mfg. by Union Steam Pump Co. Battle Creek, Mich. If interested write G. E. Scoles, Town Clerk, Nashua,

WANTED-One used 30-40 ft extension ladder, one 10-12 ft roof ladder and one hand drawn 40 gal, chemical tank complete. Address T. C. Burson, Clerk Thurman, Iowa.

WANTED—To buy a single head type electrically operated fire Siren. Address R. J. Camp, city clerk, Shambaugh, Iowa.

FOR SALE-1-50 horse Fairbanks Morse Engine, 1 belt size 12 in wide by 38 feet long. These are in good repair and will be sold cheap. Write L. V. Pulver Clerk, Town of Bayard.

FOR SALE—A horse drawn Road Oiler, 500 gal. capacity; in good condition. 1 second hand Fire Bell. Price on application. L. F. Albers, City Clerk, Fort Madison, lowa.

FOR SALE—Second hand 7½ HP., 110-220 volts, 60 cycle 1 phase 1750 rev, AC Wagner Electric Motor with pulley 5x4½ x1,18 and 220 volt starter; will sell for one half of cost, reason for selling it being too small for our work, if interested write C. T. Tollefson, Town Clerk, St. Ansgar, Iowa.

FOR SALE-City Clerk's Filing Cabinet and Cupboard. Proper filing saves cities and towns thousands of dollars. This case is worth \$500.00, will sell for \$195.00 Dimensions over all 8ft. 5in. long x 5ft. 2in. high x 151/2 in. deep, containing 60 removable document files 13 1/2 in x 4 in x103/in. Cupboard: lock doors and drawers 30in. wide, full height. Chas. C. MacKay, Auditor, Waterloo Iowa.

WANTED—Chemical tank, suitable for mounting on Ford Truck. Please state size, price, and condition in first letter. B. R. Grawburg, Clerk, Pierson, Iowa.

WANTED-To buy, double acting well pump. Address F. C. Reese, City Mgr., Villisca, Iowa.

WANTED-Second-hand fire bell. Address A. L. Halstead, Town Clerk, Rock Valley, Iowa.

WANTED—One second hand one-man steel cell. State price and address. W. M. Taylor, clerk, Ireton, lowa.

FOR SALE-1 75H. P. Meitz Weiss Oil engine. 1 50 H. P. Meitz Weis Oil engine; 1 50 H. P. Meitz Weitz Oil engine; 1 37½ K. V. A. Generator; 1 50 K. V. A. Generator; 1 switchboard; 1 ten thousand gallon undergraund supply tank; 1 six thousand gallon pressure tank used as a supply tank. The above are the principal items of a fully equipped electric lighting plant now offered for sale. Will sell any rart or all of the above. Write, L. N. Roose, Clerk, Charter Oak, Iowa.

FOR SALE-1 Tugersall Round Air Compressor, complete, with 35 H. P. Motor and Belt automatic oil pump. 12x7½x 10 type 10-2. In good running order. City Clerk, Tipton, Iowa.

POSITION WANTED-Man with technical education and fifteen years practical experience, erecting, operating and managing city light and water plants also surveying for sidewalks, sewers and water mains will be open for position about April 15th. References. Frank Pierce, Marshalltown, Iowa.

WANTED—Single unit chemical fire engine in good condition. Please state price and condition E. H. Edwall, Clerk, Rembrandt, Iowa. 424

STEEPLE-JACK - Painting and Cleaning of Watertowers, Standpipes, Smokestacks and Steeples. Prices right. R. W. Cox, Box 673, Mason .City, 324 Iowa.

WANTED-A good used 25 to 50 HP fuel engine, O. F. Mangold, Councilman, Brighton, Iowa. 224

WANTED-A second hand Electric Siren. State price in first letter, W. S. Shaffer, Town Clerk, Colesburg, Iowa. 224

WANTED-A fire alarm or an Electric Siren. Ben Haselhuln, Town Clerk, Melcher, Iowa.

FOR SALE-One 8x10 belt driven plunger pump, in good condition, also one 8x10 geared plunger pump, in good condition and, one Goulds centrifical pump. Address inquiry to A. J. Bryant, City Clerk, Sigourney, Iowa.

FOR SALE-Fire hose of the very highest quality at a price that will save you money. When in the market for fire hose write us for prices and full information. Municipal Supply Company, Marshalltown, Iowa.

FOR SALE—Steel cells for small cities and towns. You should have a place to put a person arrested and a steel cell is just the thing. Frank Pierce, Marshalltown, Iowa.

"IO WA"



The latest; "Corey" Type

Fire Hydrants

Also

Gate Valves

AND

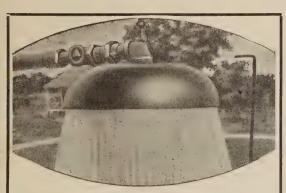
Boxes

Tapping
Valves
and Sleeves

Your Inquiries Respectfully
Solicited

Iowa Valve Co.

Oskaloosa, Iowa



Well Water Dependability

IN midsummer, when the peak load comes on your plant, for lawn sprinkling, gardens and streets, or for manufacturing, you will want the maximum output from your wells, week in and week out.

Curtailment of flow, or equipment breakdowns then will mean serious trouble, in ury to health and property, curtailment of output.

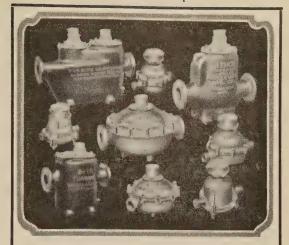
Safeguard your town or plant against water shortage then, by installing a

Sullivan Air Lift System

New Bulletin 71-HI will give you the reasons

Sullivan Machinery Co.

433 Gas Bldg., Chicago 2815 Grand Ave.. Des Moines



Make Badger Meters Your Standard of Comparison!

Just as you judge other equipment by standards—compare water meters with the Badger. Make it your standard of comparison. Point for point, base your rigid inspection on the outstanding construction advantages of the Badger. Be assured that the meter is fit. That it will tick-off accuately. That it will register an impartial registration year after year. Don't accept less.

With a complete range of meters, you can point to a Badger for every service. From the small \(\frac{5}{6}\) disc to the large 6\) turbine compound you will find the same thoroughness in design and manufacture.

Badger Meters have long been highly reputed. Chiefly because they are built right. They are designed by practical water works engineers. All parts are readily accessible and made of such metals and materials that will not corrode nor wear unduly. It is made for long life and service.

Let the Badger prove its dependability, accuracy and earning powers. Remember they are *faithful to the last drop*.

Write for special bulletins

Badger Meter Mfg. Co.

841 30th Street Milwaukee, Wis.

CHICAGO BRANCH
111 W. Washington St. Chicago, Ill.



SAFETY FIRST

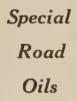
Corey Fire Hydrants are Quicker Corey Fire Hysrants are Safer

The drip valve in the Corey Fire Hydrant prevents freezing. No accident or damage to property can occur with this hydrant by flooding the streets where runaway teams or other accidents break off or otherwise injure the hydrant standpipe.

It will be seen that the hydrant gate is held in position when shut, by the four arms forming braces between the back of the hydrant and the seat. Consequently the hydrant barrel can be broken completely off above the ground but the valve remains tight.



Mason City, Iowa





Furnished
or
Applied

Make Your Streets Dustless and Mudless

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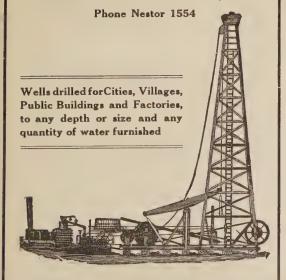
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